

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21067 of 2019

Arising Out of PS. Case No.-957 Year-2018 Thana- MASAUDHI District- Patna

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1. BITTU @ BITTU KUMAR @ BRAHMDEO RAY @ BRAHMADEV RAY, S/O- Chandradev Ray,
 2. Lambu @ Indrajeet Ray, S/o- Late Shivpujan Ray, both resident of village- Shahpur (Danapur Cantt), P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

Mr. Ganesh Pd. Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 30-05-2019 Heard learned counsel for the petitioners and learned
APP for the State as well as counsel for the informant.

Petitioners seek bail in **Masaurhi P.S. Case No.957
of 2018** instituted for the offence under Section(s) 302, 120-B,
201 Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that brother of the informant had gone on motorcycle with the petitioners, who was also working in same ITC Company at Digha. The brother of the informant did not return on that day. The informant got information on 17.12.2018 that her brother has been shot dead and his dead body is lying near Mirapur More at Masaurhi. The informant has raised suspicion that the petitioners along with his



associates have committed murder of his brother. It is also alleged that informant learnt that one lady is also involved in the occurrence because she was having illicit relation with her brother.

Counsel for the informant has submitted that one lady was found with the petitioners and, therefore, it gives circumstance against the petitioners for committing the offence.

This Court from perusal of the *fard-e-beyan* finds that allegation against petitioners is that brother of the informant went with them on motorcycle, but he did not return. The informant learnt that dead body of his brother is lying near Mirapur More, Masaurhi. It is also alleged that one lady is also involved and he has been murdered in conspiracy.

In this manner, besides last seen, there is no specific overt act against the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **SDJM, Masaurhi, Patna**, in connection with **Masaurhi P.S. Case No.957 of 2018**, subject to the condition that both the bailors shall be close relative of



the petitioners.

(Sanjay Priya, J)

J. Alam/-

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