

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.263 of 2019

Arising Out of PS. Case No.-20 Year-2017 Thana- GHOSWARI District- Patna

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1. Mitho Paswan @ Mito Paswan @ Mithu Paswan, son of Rudal Paswan.
 2. Sudhir Paswan, son of late Sitaram Paswan
- Both resident of village Prahladpur, P.S. Ghoswari, Distt. Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate.
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in **Ghoswari (Samyo O.P.)**

P.S. Case No. 20 of 2017, instituted for the offence under Section
(s) 364/34 of the Indian Penal Code.

Counsel for the petitioners submits that besides
suspicion, there is no allegation of any overt act against the
petitioners.

It is alleged in the written report that son of the
informant namely, Mohit Yadav, had gone to see Durga Puja festival
and did not return. The informant tried to search him but he could
not be traced out. The informant learnt from the villagers that
petitioners along with other accused persons as named in the written
report had called his son for seeing cultural programme. He raised
suspicion against the petitioners and other accused persons that his



son might have been done to death by them.

Counsel for the petitioners submits that alleged occurrence is said to have taken place on 10.4.2017 and First Information Report has been lodged on 15.04.2017 i.e. after lapse of 15 days. He further submits that other co-accused persons have already been granted bail by this Court as well as coordinate Bench of this Court vide orders dated 4.12.2018 and 21.09.2017 passed in Cr. Misc. 71170 of 2018 and 39458 of 2017 respectively.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners 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 learned **Additional Chief Judicial Magistrate, Barh, Distt. Patna**, in connection with **Ghoswari (Samyo O.P.) P.S. Case No. 20 of 2017**, subject to the condition that both the bailors will be the close relatives of the petitioners.

(Sanjay Priya, J)

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