

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78056 of 2018

Arising Out of PS. Case No.-90 Year-2018 Thana- DHANSOI District- Buxar

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1. Yamuna Singh.
 2. Ram Awadhesh Singh, Both Sons of Kawalpati Singh @ Kawalpati Singh,
R/o Vill.- Jeevpur Jiwapur, P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Sri Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the informant.

Petitioners, who are in custody, seek bail in connection with Dhansoi P.S. Case No. 90 of 2018 registered for the offence punishable under Sections 406, 147, 302, 201 of the Indian Penal Code.

Informant is the son of deceased, who has alleged in his written complaint that on 11.08.2018 at about 2.00 PM his father had gone to village Jeevpur for collecting photo copy of Aadhar card and to prepare Aadhar card to the card holders of P.D.S. and he stayed in the house of Ram Pravesh Singh on his request. On next day i.e. 12.08.2018 at about 5:00 AM he came to know that his father has been murdered. Thereafter he



alongwith 15-20 persons went there and saw the dead body of his father was lying in front of the house of Shri Yadav and seemed to be assaulted by lathi. He is suspects that petitioners and other co-accused might have killed his father and to conceal the evidence, the dead body of his father was thrown in the lane. The cause of occurrence is alleged that one year before his father had given Rs. 70,000/- to Ram Pravesh Singh but on demand he had not repaid the said money.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case only on suspicion. There is no specific allegation against petitioners rather there is general and omnibus allegation against all accused persons. There is no eye witness of the occurrence. Charge sheet has been submitted against petitioners. Petitioners have no criminal antecedent and they are in custody since 13.08.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioners.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each



with two sureties of the like amount each to the satisfaction of
learned A.C.J.M.-III, Buxar, in connection with Dhansoi P.S.
Case No. 90 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient
immovable property within the jurisdiction of the
court concerned.

(2) Petitioners shall co-operate in the trial and
shall be properly represented on each and every date
fixed by the court and their absence on two
consecutive dates without proper and sufficient
reason the trial court will be at liberty to cancel their
bail bond.

(3) If the petitioners tampers with the evidence
or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(S. Kumar, J)

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