

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37568 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- MAIGRA District- Gaya

1. UMESH BHUIYAN Son of Prasad Bhuiyan Resident of Village - Mataha Tola, Naikadih, P.S.- Dumariya, District- Gaya
2. Sanjay Bhuiyan Son of Kailu Bhuiyan Resident of Village - Mataha Tola, Naikadih, P.S.- Dumariya, District- Gaya
3. Ramdip Bhuiyan Son of Sohrai Bhuiyan Resident of Village - Mataha Tola, Naikadih, P.S.- Dumariya, District- Gaya
4. Nandu Bhuiyan Son of Sohrai Bhuiyan Resident of Village - Mataha Tola, Naikadih, P.S.- Dumariya, District- Gaya
5. Suresh Bhuiyan @ Suresh Son of Sohrai Bhuiyan Resident of Village - Mataha Tola, Naikadih, P.S.- Dumariya, District- Gaya
6. Dasu Bhuiyan Son of Balam Bhuiyan @ Balamu Bhuiyan Resident of Village - Mataha Tola, Naikadih, P.S.- Dumariya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in Maigra P. S. Case No. 02
of 2019 instituted for the offence under Section(s) 147, 149,
323, 302 and 120B of the Indian Penal Code.

Learned counsel for petitioners has submitted that
informant is not an eye witness to the case.

In the written report it is alleged that on 20.1.2019



the accused Dasu Bhuiyan (petitioner no.6) and Suresh Bhuiyan (petitioner no.5) came at the house of informant and took away his father, namely, Bandu Bhuiyan on the pretext that they are taking him for 'Jhar Fook'. The father of informant did not return till late night. The informant started search. During course of search the uncle of informant, namely, Ramji Bhuiyan told that he had seen all the accused persons including the petitioners had taken away his father and they strangled him. The uncle of the informant tried to save his brother then accused persons gave threat to him also. The dead body of the father of informant was found lying near Mithki Mahua, Chandariya on next day..

Learned counsel for petitioners has submitted that petitioners have been implicated in this case due to village politics.

From the written report itself it appears that informant is not an eye witness to the occurrence. There is general and omnibus allegation against these petitioners. No motive has been assigned against the accused persons for committing murder of father of informant.

Petitioners are in custody since 21.1.2019 having no criminal antecedent.



Considering the aforesaid, 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 JM 1st Class, Sherghati Gaya in connection with Maigra P. S. Case No. 02 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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