

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36883 of 2019

Arising Out of PS. Case No.-78 Year-2017 Thana- KURSAILA District- Katihar

1. Dinesh Yadav Son Of Nathu Yadav Resident Of Village - Ranidiyara, P.S.- Ekchari, Distt - Bhagalpur.
2. Mukesh Yadav Son of Yugal Yadav Resident of Village - Ranidiyara, P.S.- Ekchari, Distt - Bhagalpur.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Bimal Kumar, Advocate

For the Opposite Party : Mr.Akshay Lal Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-08-2019 Heard learned counsel for the petitioners, learned counsel for the State and perused the case diary.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 302, 120B/34 of the Indian Penal Code.

It is alleged by the informant that at 10 PM on 8.6.2017 her husband Mithilesh Mandal went outside along with his friend Pappu Mahto, who did not return thereafter, and in the next morning their dead bodies were found lying near a temple. Informant claims the hand of the petitioners and others in the aforesaid murder on account of subsisting land dispute between them.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case as no one has seen the occurrence and on the basis of suspicion the informant has implicated the petitioners and others who were on animical terms due to land dispute with the informant. Petitioners have got no criminal antecedent and other accused



persons, who had been implicated in this case on the basis of suspicion made by the informant, have already been allowed anticipatory bail by a bench of this Court vide order dated 11.7.2018, passed in Cr.Mis.No. 27666 of 2018.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 Chief Judicial Magistrate, Katihar in Kursela Police Station Case No. 78 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioners.

(Prabhat Kumar Singh, J)

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