

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40392 of 2019

Arising Out of PS. Case No.-340 Year-2014 Thana- BIHTA District- Patna

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1. PINTU YADAV Son of Krishna Yadav Resident of Village-Pareo, P.S-Bihtta, District-Patna.
 2. Bhola Yadav Son of Krishna Yadav Resident of Village-Pareo, P.S-Bihtta, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act in which section 394 IPC was subsequently added..

The prosecution case in short is that on account of previous dispute, the accused persons committed murder of the husband of the informant.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.5.2019 and have got no criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioners. Charge-sheet has been submitted in the present case. The informant is not an eye witness to the alleged occurrence. Merely on suspicion, the names of the petitioners have transpired in the F.I.R. In course of investigation, the case against the petitioners has been found to be false and final form was submitted. In respect to the other accused, charge-sheet has been submitted. The Court below differed with the police report and took cognizance against the petitioners. Except for suspicion, there is no other substantive evidence to suggest their implication in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1, Danapur, Patna in connection with Bihta P.S. Case No. 340 of 2014.

(Sudhir Singh, J)

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