

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79352 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- BHARGAMA District- Araria

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1. Sita Devi and Anr Wife of Ful Chand Sah
 2. Shambhu Sah Son of Shiv Sundar Sah Both Residents of Village-Parmanandpur, P.S.- Srinagar, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Bhargama P.S. Case No. 73 of 2018 registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Informant is the Police Officer, who has alleged in his written statement that he received an information that a dead body is lying near river. No one could identify the body, however, subsequently after 2-3 days his brother identified the dead body and during investigation the name of petitioners have transpired in this case on the basis of CDR of deceased's mobile.

It has been submitted on behalf of the petitioners that



they are innocent and have been falsely implicated in this case without any rhyme and reason or material against them, only on the basis of CDR of deceased's mobile. Petitioner No. 1 has no criminal antecedent and petitioners are in custody since 15.07.2018.

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 C.J.M., Araria, in connection with Bhargama P.S. Case No. 73 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 bonds.

(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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