

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82063 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- SINGHESHWAR District- Madhepura

1. Domi Ramani, aged about 45 years, Son of Late Deban Ramani, Resident of Village - Singheshwar, P.S.- Singheshwar, Distt.- Madhepura.
2. Kumod Ramani, aged about 25 years, Son of Domi Ramani, Resident of Village - Singheshwar, P.S.- Singheshwar, Distt.- Madhepura.
3. Subhash Kumar, aged about 20 years, Son of Domi Ramani, Resident of Village - Singheshwar, P.S.- Singheshwar, Distt.- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Pawan Kumar, Advocate.
For the Opposite Party : Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Learned counsel for the petitioners is permitted to make necessary corrections in petitioners' address, in course of the day.

Heard learned counsels for the petitioners and the informant and learned A.P.P. for the State.

The petitioners seek bail in a case for the offence registered under Sections 302 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 28.07.2019 at 11.00 A.M., the husband of the informant went to Singheshwar Market alongwith his co-villager Manoj. After some time at about 1.45 P.M., Manoj Yadav told the informant



that at Thakurbari situated in Singheshwar Market, nine accused persons including the petitioners named in the F.I.R. and 8-10 other unknown persons have killed her husband by beating him with Lathi, Danda, Rod, Knife and the butt of the gun in pursuance of a conspiracy. Manoj Yadav also told the informant that criminals also tried to kill him but he somehow escaped. The informant has also stated that there was a dispute since long between these criminals and the informant's husband in respect of the said Thakurbari. She also stated that her husband also had disputes with the shopkeepers having shops in front of the said Thakurbari.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 1 and 2 are in custody since 09.08.2019 and the petitioner no. 3 is in custody since 30.07.2019. The petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. As per the postmortem report the alleged occurrence is alleged to have taken place due to electrocution.



The allegation made in the F.I.R. does not find support from the postmortem report. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 80711 of 2019 under order dated 09.12.2019.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura, in connection with Singheshwar P.S. Case No. 180 of 2019.

(Sudhir Singh, J)

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