

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 6498 of 2020

Arising Out of PS. Case No.-359 Year-2019 Thana- RANIGANJ District- Araria

CHANDRASHEKHAR MURMU Son of Late Chunaka Murmu Resident of
Village - Kouabari, P.S.- Bousi, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr Umanath Mishra, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 05-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings with the
aid of audio visual technology.

Heard Mr Arvind Kumar Sinha, learned counsel for
the petitioner as well as Mr Umanath Mishra, learned APP for
the State.

Petitioner seeks bail in Raniganj Police Station (for
brevity, *PS*) Case No 359 of 2019 instituted for the offence
punishable under Sections 302, 201/34 of Indian Penal Code.

Prosecution case is that at 8 o'clock on 08.10.2019,



the villagers have informed the informant that his sister has been killed by some persons by setting her ablaze. The informant has named 14 persons along with 20 – 25 unknown persons.

Petitioner's counsel submits that the petitioner is not a named accused, and has no criminal antecedent and has no concern with the alleged occurrence. His implication is merely on the basis of suspicion and there is no independent eye witness to the occurrence. Further submission is that the petitioner is in custody since 31.10.2019 and named co-accused Harendra Noniya @ Harendra Chauhan and Amit Noniya have been allowed bail by different Benches of this Court in Cr Misc No 14403 of 2020 and Cr Misc No 12125 of 2020 respectively.

The learned APP for the State opposed the prayer for bail. It is submitted that the victim has been done to death by a mob.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Araria in Raniganj PS Case No 359 of 2019 subject to the following



conditions -

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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