

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14725 of 2020

Arising Out of PS. Case No.-69 Year-2019 Thana- PHENHARA District- East Champaran

1. Md. Taj, aged about 55 years, Male, Son of Fekau Miya, Resident of Village - Fulwariya, P.S.- Phenhara, Dist.- East Champaran.
2. Sarfuddin @ Md. Sarfudin Miya, aged about 31 years, Male, Son of Md. Taj Resident of Village - Fulwariya, P.S.- Phenhara, Dist.- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Rajesh Kumar, Advocate.
For the Opposite Party	:	Mr.Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 147, 148, 149 and 302 of the IPC.

The prosecution story, in brief, is that the brother-in-law, namely, Shatrughan Singh was residing at the informant's house and on 07.07.2019 at 4.30 P.M. he was going to meet his niece at village-Marpa. When he reached one Kilometer far from Kumhrar Math at Village-Fulwariya then 15.-20 persons surrounded him and assaulted and all are saying him "Baccha Chor". When the informant received information from the



villagers, he reached there and saw that all the accused persons named in the F.I.R. were assaulting to his brother-in-law by Lathi and Danda as a result of which, the informant's brother-in-law died on the spot.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 09.09.2019 and 14.11.2019. The petitioners have got no criminal antecedent. They have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. Other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 83353 of 2019 under order dated 23.01.2020 annexed as Annexure-3 to the present application.

On behalf of the State, it is 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. East Champaran, Motihari, in connection with Phenahra



P.S. Case No. 69 of 2019.

(Sudhir Singh, J)

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