

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26580 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. UMESH RAM Son of Tuntun Ram @ Sudarshan Ram Resident of Village-Navangar Nijamat Ward no.7, P.S.- Sahebganj, District- Muzaffarpur.
2. Ganesh Ram Son of Tuntun Ram @ Sudarshan Ram Resident of Village-Navangar Nijamat Ward No.7, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-10-2020 Heard Mr. Ajay Kumar Thakur, learned counsel

for the petitioners and Mr. Nirmal Kumar Sinha, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioners seek regular bail in connection with
Sahebganj P.S. Case No. 10 of 2020 registered for the
offences punishable under Sections 302, 201 and 120(B)/34
of the Indian Penal Code 1860.

The prosecution story as per the First Information
Report is that the younger brother of the informant was
having a relationship with one Pinki Kumari for about one
year and on 18.11.2019, he left the house saying that he was



going to marry with Pinki Kumari. It has further been alleged that the petitioner No. 2 along with some other persons came to the house of the informant on 3.1.2020 and threatened him to disclose the whereabouts of Chandan Kumar. Thereafter, the dead body of Chandan Kumar (younger brother of the informant) was found lying in a Chaur on 4.1.2020. The informant has alleged that the co-accused persons after hatching conspiracy with each other killed his brother and had thrown the dead body at Ghanpura Chaur.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case on the basis of suspicion only. Learned counsel referring to postmortem report at Annexure-2 submits that Doctor has found that the deceased has died due to electrocution. Learned counsel further submits that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court vide orders dated 5.6.2020 and 17.09.2020 passed in Cr. Misc. No. 18782 of 2020 and 23829 of 2020 respectively. Learned counsel



further submits that the petitioners are in custody since 06.01.2020.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st cum Sub Judge 1st (West), Muzaffarpur, in connection with Sahebganj P.S. Case No. 10 of 2020 on the following conditions:-

(i) that the petitioners will be well represented on each date in the trial and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(ii) that if the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation



of bail.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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