

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27104 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. BUCHCHI BIND @ BUCHI BIND Son of Ramsurat Bind Resident of Village- Orgai, P.S.- Bhagwanpur, District- Kaimur at Bhabua.
 2. Ramsurat Bind Son of Late Khedu Bind Resident of Village- Orgai, P.S.- Bhagwanpur, District- Kaimur at Bhabua.
 3. Sonu Kumar Bind @ Sonu Bind Son of Late Ramdayal Bind Resident of Village- Orgai, P.S.- Bhagwanpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Pandey
For the State	:	Mrs. Pronati Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case for the offence



registered under Sections 147, 148, 149, 302/34 of the Indian Penal Code.

Prosecution case in short, is that while father of the informant reached near Chandrama Doctor, 8 accused persons including these petitioners surrounded him. Allegedly, on the order of petitioner No. 2, other accused assaulted him with iron rod and lathi, as a result of which, the informant's father sustained injury and fell down on the earth. Thereafter all the accused persons indiscriminately assaulted the informant's father due to which, he sustained injuries and in course of treatment, he died.

It has been submitted on behalf of the petitioners that the petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge sheet/Prosecution report in this case has already been submitted. The petitioners are in custody since 12-03-2020. The petitioners have been falsely implicated in the present case. The specific allegation of assault is against Mukund Bind and Ramayan Bind who assaulted the deceased. So far petitioners are concerned, general and omnibus allegation has been made against the petitioner Nos. 1 & 3. No specific injury is attributed to the petitioners,. Both parties are agnates.



There is property dispute between the parties and for the said reasons, the petitioners have been made accused in the present case.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist/concerned court, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No. 35 of 2020.

(Sudhir Singh, J)

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