

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23995 of 2020

Arising Out of PS. Case No.-478 Year-2019 Thana- DARIYAPUR District- Saran

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1. SUJEET RAI @ SUJEET KUMAR S/O Late Bunilal Rai R/O Village - Jaitipur, P.S. Dariyapur District Saran.
 2. Shailesh Rai @ Shailesh Kumar S/O Late Bunilal Rai R/O Village - Jaitipur, P.S. Dariyapur District Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Md Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-11-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioners seek regular bail in connection with Dariyapur Police Station Case No. 478 of 2019, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the informant has expressed strong suspicion that the petitioners, along with other co-accused persons, have killed the younger brother of the informant and have thrown the dead body in the field.



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 mere suspicion inasmuch as there is no eye-witness to the alleged occurrence. He further submits that statement of one of the witnesses, namely Laxmi Devi, has been recorded by the police, who happens to be the sister-in-law of the informant and she has also raised suspicion that the accused persons, including the petitioners, have killed the deceased and have thrown his dead body over the naked electric wire. He further submits that as per the post mortem examination report, the cause of death is shock due to electric current. He further submits that the petitioners are not related to the family of the deceased and said Laxmi Devi has stated that there was illicit relationship between her and the deceased, which was not to the liking of the accused persons.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 21.03.2020, I am inclined to grant bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail,



upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, at Chapra, in connection with Dariyapur Police Station Case No. 478 of 2019.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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