

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35614 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- MUNGER MUFFASIL District- Munger

1. Rajendra Saw Son of Late Sahdeo Saw Resident of Village/Muhalla-Mahadevpur, Nauagarhi, P.S.-Muffasil, District-Munger.
2. Deepak Saw Son of Rajendra Saw Resident of Village/Muhalla-Mahadevpur, Nauagarhi, P.S.-Muffasil, District-Munger.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Sanjiv Kumar Singh, Advocate

For the Opposite Party : Mr. Ajay Kumar -2 A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioners and the State through Video Conferencing.

Petitioners seek bail in a case registered for the offence punishable under sections 306/34 of the Indian Penal Code.

Prosecution's case, in brief, is that on 7.2.2020 at 11 am mother of petitioners came to the house of the informant and asked informant's son to return Rs.2 lacs, otherwise she would tell her son (petitioner no.2) to beat him. Thereafter, at 12 Noon he found his son hanging with the rope to the ceiling of the room.

Learned counsel for the petitioners submits that from perusal of the allegation levelled in the FIR it is evident that in fact these petitioners did not take any part in the commission of alleged occurrence and at best mother of these petitioners can be said to be abattoir. Petitioners have got no criminal antecedent and they are in custody since 29.5.2020. Charge sheet has also been filed in the case.



In the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged 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 Chief Judicial Magistrate, Munger in Mufassil Police Station Case No. 34 of 2020 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) 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.

(Prabhat Kumar Singh, J)

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