

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68764 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- BHAWANIPUR District- Purnia

1. Md. Bhuto, Son of Md. Idrish, Resident of Village - Dargaha, P.S.- Bhawanipur, Distt - Purnea.
2. Md. Sanjeer, Son of Md. Batul, Resident of Village - Dargaha, P.S.- Bhawanipur, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate. Mr. Amresh Kumar Sinha, Advocate. Ms. Preety Kumari, Advocate.
For the Opposite Party/s	:	Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 18-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners are accused in connection with Bhawanipur P.S. Case No. 100 of 2019, registered under Sections 302 and 201/34 of the Indian Penal Code.

The accusation is that in the evening of 12.06.2019, Krishna Kumar, Golu Kumar, grandsons and Nisha Kumari granddaughter of the informant, Bilo Muni, had gone to collect the mango in the mango-orchard situated near the canal, which was taken on lease by the petitioners. In course of collecting the mango, both petitioners tried to caught hold the grandsons and



granddaughter of the informant but they started to flee away and in that course, Krishna Kumar was caught hold and taken on motorcycle. Thereafter, the said fact was informed to the informant by his granddaughter, Nisha Kumari. Thereafter, informant went there and made query about his grandson, Krishna Kumar, but both petitioners did not give any reply. In course of search, the dead body of grandson of informant, Krishna Kumar, was found in canal at 10 P.M. on 15.06.2019.

Learned counsel for the petitioners submits that it would appear from the FIR that occurrence is said to be taken in the evening of 12.06.2019 but the present case has been lodged on 15.06.2019 after recovery of dead body of Krishna Kumar, grandson of the informant, which clearly indicates about lodging the present case against the petitioners mere on suspicion. Further submission is that it would appear from the postmortem report that no any ante-mortem injury was found on the person of the deceased, grandson of the informant. It is further submitted that petitioners have no criminal antecedent and are in custody since 17.06.2019.

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Purnea, in connection with Bhawanipur P.S. Case No. 100 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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