

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17673 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- BASANTPUR District- Siwan

1. PUNDEO RAI S/O Late Indrashan Rai
2. Biltu Rai S/o Late Indrashan Rai
3. Pitambar Rai S/o Pundeo Rai
All R/O- Vill. - Ujjaina, P.S. - Basantpur (O.P. - Lakari Nabiganj), Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar, Adv

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-08-2021 Let the defect (s) be removed within four weeks
after start of the physical Court.

Heard the parties in virtual Court.

Petitioners seek bail in a case registered for the
offences punishable under Sections 363,365,302,201 of IPC.

According to FIR, the informant was sleeping
alongwith a child aged about 08 years. The child was found
missing and thereafter his dead body was found from a Well.
Suspicion is that the petitioners with whom the informant had
land dispute have committed the crime alleged.

Learned counsel for the petitioners submits that the



case is based on circumstantial evidence. There is no eye witness of the occurrence. No one claims to have seen the petitioners alongwith the deceased. The trial has already started. The petitioners are ready to cooperate with the trial.

Learned counsel for the informant opposed the prayer for bail on the ground of nature of allegation of killing a child as well as on the ground that the petitioners would pose threat in the event of their release.

Considering lack of sufficient material for further detention of the petitioners as undertrial prisoners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Basantpur (O.P. Lakari Nabiganj) Police Station Case No.25 of 2020 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(c) The petitioners shall not leave the country



without permission of the trial Court.

(Birendra Kumar, J)

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