

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30958 of 2020

Arising Out of PS. Case No.-126 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

1. RAKESH KUMAR @ RAKESH PASI Son of Basropan Pasi Resident of Village - Vinodpur Chhota Katara, P.S.- Mohania, Distt - Kaimur
2. Chandrma Pasi @ Chandrama Pasi Son of Late Ram Bachan Pasi Resident of Village - Bamhaur, P.S.- Mohania, Distt - Kaimur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kr. Singh
For the Opposite Party/s	:	Mr.A.G
For the informant	:	Mr. Vinod Kumar Seth, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-01-2021 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 302, 201 and 34 of the Indian Penal Code.

Admittedly, while the son of the informant went to call his maternal grandfather for taking meal, he was found dead.

It has been submitted on behalf of the petitioners that the petitioners have 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 03-



05-2020. The petitioners have been falsely implicated in the present case. The petitioners are not named in the FIR. Their names transpired in this case on the basis of confessional statement of co-accused Nitish Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no recovery of any incriminating article from possession of the petitioners. The petitioners have not been put on test identification parade to ascertain their participation in the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are not 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 126 of 2020.

(Sudhir Singh, J)

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