

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31889 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- MAHISHI District- Saharsa

1. PRITI KUMARI Wife of Sit Ray @ Sit Kumar Ray @ Raghav Ray Resident of Village - Telhar, P.S. Mahishi, District - Saharsa (Bihar).
2. Sit Ray @ Sit Kumar Ray @ Raghav Ray Son of Gango Ray @ Ganga Ray Resident of Village - Telhar, P.S. Mahishi, District - Saharsa (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-02-2021 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in a case registered for the offence punishable under Sections 363, 364, 201, 120(B) of the I.P.C.

Allegation against petitioners is that under a conspiracy, they have killed the son of informant and hide the dead body near the village Telhar.

It has been submitted on behalf of petitioners that petitioners are not named in the FIR. Their name surfaced in this case during the course of investigation. It has been further submitted that occurrence took place on 16.04.2020 but FIR was



lodged on 20.04.2020 after delay of four days without any explanation. There is no eye witness of the occurrence. Allegation is based on suspicion only and there is no other incriminating material against petitioners. Petitioners have no criminal antecedents and they are in custody since 25.04.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Mahishi P.S. Case No. 63/2020 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(S. Kumar, J)

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