

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33808 of 2020

Arising Out of PS. Case No.-267 Year-2020 Thana- KORHA District- Katihar

1. BAPI DAS S/o Jitan Das R/o-Bada Pokhar, Kamlawari, P.S.-English Bazar, District-Malda (W.B.).
2. Bhibisan Mandal S/o Sachin Mandal R/o-Bada Pokhar, Kamlawari, P.S.-English Bazar, District-Malda (W.B.).
3. Rahul Sheikh @ Munna S/o Barkat Sheikh R/o-Bada Pokhar, Kamlawari, P.S.-English Bazar, District-Malda (W.B.).
4. Chhotan Mandal S/o Ratan Mandal R/o-Bada Pokhar, Kamlawari, P.S.-English Bazar, District-Malda (W.B.).

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar Singh, Advocate.
For the State	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-01-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 08.12.2020/09.12.2020 within four weeks from today.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Korha P.S. Case No.267 of 2020 registered under Sections 364/34 of the Indian Penal Code.

The accusation is that the informant Vijay Kumar



Sahni used to run the fruit shop in Gerawari Market and he has also a storeroom for keeping the fruits, where Sonu Kumar Sahni, the brother of the informant, used to go for sleeping in the night. On 12.06.2020 at about 04.30 A.M., Chhotu, the staff of the informant, went at the storeroom of the fruits of the informant but he did not found Sonu Kumar Sahni, the brother of the informant, there and the fruits were also found scattered there. Thereafter, Chhotu, the staff of the informant, gave information to the informant in this regard.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the informant and the petitioners are the shopkeepers of the fruits and, usually, they used to take the fruits jointly loading on the truck and some dispute arose in between the petitioners and the informant for payment of the money, due to that reason, the informant lodged the present case. Further submission is that after six hours of lodging of the present case, the victim Sonu Kumar Sahni, the brother of the informant, was said to be recovered along with the petitioners from a jeep, who also gave false statement under Section 164 of the Code of Criminal Procedure, implicating the petitioners showing their involvement in the present case. The petitioners have no criminal antecedents and are in custody since



13.06.2020.

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 Chief Judicial Magistrate, Katihar, in connection with Korha P.S. Case No.267 of 2020. Out of the two sureties, one must be either parents or the close relative of the petitioners.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

