

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36679 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- DUMARIYA District- Gaya

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1. RAJENDRA BHUIYAN Son of Mohan Bhuiyan Resident of Village - Rabda, P.S.- Dumaria, Distt.- Gaya.
 2. Suresh Bhuiyan Son of Fakira Bhuiyan @ Fakira Rikyasana Resident of Village - Rabda, P.S.- Dumaria, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Javed Jafar Khan, Advocate
For the State	:	Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 16-03-2021 Heard learned counsel for the petitioners and learned APP for the State. Learned counsel for the petitioners hereby undertakes to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioners are in custody since 31.01.2020 in connection with Dumaria P.S. Case No. 06 of 2020 for the alleged offences under Sections 354, 302, 201, 120(B), 34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated in connection with murder of the informant's husband on mere suspicion based on self confession of the petitioners before the police, and there is no objective material to connect the petitioners with the alleged occurrence. It is further stated that the petitioner no. 1 is named in the FIR against whom no specific accusation has been made while petitioner no. 2 is not



named in the FIR and his name transpired during investigation. No incriminating article has been recovered from the possession of the petitioners, who claim clean antecedents.

4. Learned APP has obtained a copy of the case diary in order to assist this Court, which on request is placed on record. He opposes the bail petition on the basis of para 19 of the case diary to the effect that there was illicit relation between the deceased and one Muniya Devi. The petitioner had been seen at the house of Muniya Devi three days prior to the occurrence after which the deceased had disappeared.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of bail to the petitioners. The bail petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioners within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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