

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34473 of 2020

Arising Out of PS. Case No.-139 Year-2020 Thana- BACHHWARA District- Begusarai

1. JANKI DEVI Wife of Shri Tolan Sada Resident of Village- Arwa, P.S.- Bachhwara, District- Begusarai.
2. Tolan Sada Son of Late Paltu Sada Resident of Village- Arwa, P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Udbhav, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Prakash Sahay, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-02-2021 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioners and Mr. Prakash Sahay, for the informant. The State is represented by Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioners seek bail in connection with Bachhwara P.S. Case No. 139 of 2020 dated 07.07.2020 instituted for the offence under Section 363, 302, 34 and 201 of the Indian Penal Code.

According to the FIR, the son of the informant went out of the house, never to come back again. While the informant was about to go to the police station to report about the occurrence, he was informed by the villagers that the dead body of his son was found



thrown in the field. The informant, therefore, has suspected the hands of the petitioners and others who had, in the past, been threatening the informant of killing the members of his family.

Learned counsel for the petitioners has submitted that but for the suspicion which has been expressed in the FIR, there is no other material to connect the petitioners with the offence. In the entire investigation report, no material could be gathered which could lend credence to the aforesaid suspicion in the mind of the informant.

Learned counsel for the informant, however, has submitted that it is a serious case of murder and since the offence was committed under stealth, there is no eye witness to the occurrence.

The petitioners are stated to be in custody since 19.07.2020.

Charge sheet in this case has already been submitted.

Considering the nature of accusation against the petitioners which is primarily based on suspicion and taking into account their period of custody, they are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate,
Begusarai in connection with Bachhwara P.S. Case No.
139 of 2020.

(Ashutosh Kumar, J)

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