

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38200 of 2020

Arising Out of PS. Case No.-202 Year-2019 Thana- VIJAYEPUR District- Gopalganj

1. TRIVENI GOND S/o LATE JHAGRU GOND Resident of Village-Chainpur, Tola-Sheetalpur, P.S.-Vijayipur, District-Gopalganj.
2. KOMAL GOND @ KAMAL GOND S/o LATE LAKSHAN GOND @ LACHHAN GOND Resident of Village-Chainpur, Tola-Sheetalpur, P.S.-Vijayipur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Advocate
For the Opposite Party/s : Mr. Shyam Kr. Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Vijayipur P.S. Case no. 202/2019 registered under sections 302 and 34 of the Indian Penal Code.

As per allegation in the first information report, it is stated that the two petitioners herein as also co-accused Suresh Yadav, Hira Yadav and Anil Ram, all came together and took away the husband of the informant. Thereafter, he was not to be found and subsequently his dead body was found hanging from the tree.



It is submitted by learned counsel for the petitioners that except for raising an unfounded suspicion, there is no material either in the first information report nor any incriminating material has transpired in course of investigation. It is submitted that although it is true that some persons have raised some suspicion against the petitioner no. 1 because of some love affair between the children of the accused and the informant, however, it is submitted that suspicion howsoever strong cannot take place of evidence. There is no eye witness to the occurrence and the petitioner is in custody since 16.3.2020. Chargesheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State, who submits that in course of investigation, some material has come raising suspicion against the petitioner no. 1.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation together with the petitioner being in custody since 16.3.2020 and chargesheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Vijayipur P.S. Case no. 202/2019 on furnishing bail bond



of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj.

(Partha Sarthy, J)

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