

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40276 of 2020

Arising Out of PS. Case No.-398 Year-2019 Thana- KORHA District- Katihar

BHAGWAN MURMU S/o Late Mandal Murmu R/o Gorgama Paschhim
Tola, P.S.- Korha, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Ms. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 30-04-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Korha Police Station Case No. 398 of 2019, disclosing offences
under Sections 302/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the informant has alleged that the petitioner,
along with other accused persons, has killed his son and has
thrown his dead body in a ditch. It has further been alleged that
there was land dispute with the accused no. 1 and 2 and both the
accused used to threaten the son of the informant with dire
consequences and the motorcycle of the deceased was found
near the house of accused no. 4.



Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to village politics. He next submits that from perusal of the First Information Report, it would be evident that the name of the petitioner has been dragged in this case merely on suspicion and there is specific narrative against accused no. 1 and 2, who used to threaten the son of the informant and there was land dispute between them. He next submit that the accused no. 1, Arun Kumar Singh, has been granted bail by co-ordinate Bench of this Court in Criminal Misc. No. 27908 of 2020. He next submits that the petitioner is in custody since 31.07.2020, having no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the nature of allegation and the fact that similarly situated co-accused persons has been granted bail by this Court and the petitioner is in custody since 31.07.2020, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha Police Station Case No. 398 of 2019, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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