

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25019 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- KONCH District- Gaya

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1. JAGDISH SHARMA SON OF SHIVNANDAN MISTRI R/O VILLAGE- GAUHARPUR, TOLA BALBAPER, P.S.- KONCH, DISTRICT- GAYA.
 2. RAJENDRA SHARMA SON OF SRI JAGDISH SHARMA R/O VILLAGE- GAUHARPUR, TOLA BALBAPER, P.S.- KONCH, DISTRICT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that he was told by his elder brother that while his father was getting a shed constructed, he was murdered. On seeing his father it appears that he had several marks of injuries. It is further stated that over land dispute the accused persons including the two petitioners herein who are agnates had beaten up and threatened that they would kill the informant's father.

It is submitted by learned counsel for the petitioners



that the petitioner no. 1 happens to be the brother of the deceased. He has been falsely implicated in the case for reasons of land dispute which would be evident from the contents of the FIR itself. An unfounded suspicion has been raised against the petitioners in the FIR. There are no eye witness to the occurrence. The petitioners are in custody since 8.7.2020 and chargesheet has been submitted. They have no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioners having remained in custody for over 1 year 6 months, the petitioners are directed to be enlarged on bail in connection with Konch P.S. Case no. 191 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya.

(Partha Sarthy, J)

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