

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19940 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- HATHAURI District- Muzaffarpur

1. Raju Mallik Son Of Ramchandra Mallik, R/O Village- Simari, P.S.- Hathauri, District- Muzaffarpur
2. Vijay Mallik Son Of Lange Mallik, R/O Village- Simari, P.S.- Hathauri, District- Muzaffarpur

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Hathauri P. S. Case No. 38 of 2021 lodged under Sections 302 and 201/34 of the Indian Penal Code.

As per the statement made in the F.I.R. that the informant's father went market to purchase pig, then at about 4.00 pm an Auto Rickshaw stopped at his door. The Informant has alleged that said Auto Rickshaw has thrown the dead body of his father, those who have thrown the dead body of his father

were made accused in this case.

Learned counsel for the petitioners submits that the petitioners are completely innocent and under the conspiracy all the family members of the petitioners were made accused in this case. He further submits that only on the basis of suspicion, the name of petitioners have put in this case. He further submits that in the entire case diary also there are suspicion shown against the petitioners and his family members. He further submits that the petitioners are in custody since 13.08.2021, charge sheets have already been filed in this case and petitioners have clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Muzaffarpur in connection with Hathauri P.S. Case No. 38 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of their bail bonds.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioners.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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