

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52031 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- ROSHANGANJ District- Gaya

1. NANDU BHUIYAN SON OF LATE RAMDAS BHUIYAN R/O VILLAGE- DAURI (DUAARI) P.S.- BANKE BAZAR, DIST.- GAYA
2. RAKESH BHUIYAN SON OF BILASH BHUIYAN R/O VILLAGE- DAURI (DUAARI) P.S.- BANKE BAZAR, DIST.- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2022 Heard the parties through virtual court proceedings.

Petitioners seek regular bail in connection with Roushanganj P.S. Case No. 167 of 2020 registered for the offence punishable under Sections 302 / 34 of the I.P.C.

The allegation in nutshell is that petitioners along with other accused persons killed the son of informant by pressing his neck by means of towel.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to village rivalry. He further submits that there was dispute between co-accused / Radhu Bhuiyan and Pradeep Bhuiyan (deceased) with regard to love affair of the deceased with a woman of the village. Learned counsel next submits that petitioners are in custody since 16 - 11 - 2020 having no criminal antecedent, charge-sheet has already been submitted



and there is no likelihood that the trial would be concluded in near future due to Covid 19 pandemic. He also submits that similarly situated co-accused / Rajendra Bhuiyan and Andhan Bhuiyan @ Andhan Kumar have been granted bail by this court in Cr. Misc. No. 38084 / 2021.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioners are in custody since 16 / 11 / 2020 having no criminal antecedent, charge-sheet has already been submitted in the matter, similarly situated co-accused persons have been enlarged on bail by this court, trial is not likely to be concluded in near future due to Covid 19 pandemic, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Class J.M. Sherghati Gaya in connection with Roushanganj P.S. Case No. 167 of 2020.

(Anil Kumar Sinha, J)

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