

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53190 of 2021**

Arising Out of PS. Case No.-78 Year-2020 Thana- HULASGANJ District- Jehanabad

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SANJIV KUMAR @ ONKAR KUMAR SON OF RAM PRATAP SINGH
R/O VILLAGE- BATULI, P.S.- HULASGANJ, DIST.- JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 72089 of 2021

Arising Out of PS. Case No.-78 Year-2020 Thana- HULASGANJ District- Jehanabad

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PUTUSH KUMAR SON OF RAM PRATAP SINGH RESIDENT OF
VILLAGE- BATULI, P.S- HULASGANJ, DIST- JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 53190 of 2021)

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 72089 of 2021)

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-04-2022

Heard learned counsel for the parties.

The petitioners have preferred this application for
grant of regular bail in a case registered under sections 302, 201
and 34 of the Indian Penal Code.

As per the prosecution case, twelve years old
daughter of the informant disappeared and was not to be found.



Subsequently her dead body was found floating in the pond.

It is submitted by learned counsel for the petitioners that the FIR was registered against unknown. Admittedly there is no eye witness to the occurrence. In view of old case between the parties, it is stated that suspicion was raised against the petitioners of having a hand in the murder of the daughter of the informant. However no incriminating material has transpired in course of investigation to connect the petitioners with the alleged crime. The allegations are general and omnibus in nature. The petitioners are in custody since 16.3.2021 and 9.9.2021 respectively. It is further submitted that charge has been framed in the learned trial Court and three witnesses have been examined.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of evidence which has transpired in course of investigation together with the petitioners having remained in custody for over 1 year, the Court directs the petitioners to be enlarged on bail in connection with Hulasganj P.S. Case no. 78 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,



Jehanabad.

In view of the examination of the prosecution witness in the learned trial Court having commenced, it is directed that the petitioners shall cooperate in the trial and shall remain physically present in Court on each date of the trial. In case, the learned trial Court is of the opinion that the trial is being delayed due to noncooperation on part of the petitioners, the learned trial Court may cancel the bail bond of the petitioners and take them into custody till conclusion of the trial.

(Partha Sarthy, J)

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