

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57549 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- SAHPUR District- Bhojpur

1. Mana Tatwa
2. Munna Tatwa
Both Ssons of Late Belas Tatwa
3. Janako Devi ,W/o Mana Tatwa
4. Krishna Tatwa
Sons of Ayodhya Tatwa, Resident of Village - and P.O. and P.S.- Sonbarsa,
Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Ghosarvey, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-03-2022 It is submitted by learned counsel for the petitioners that during pendency of this case, **petitioner no. 1 (Mana Tatwa) has died**, as such, he prays to withdraw this application so far as petitioner no. 1 is concerned.

Accordingly, this application is dismissed as withdrawn against petitioner no. 1.

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Section 302 and 34 of the Indian Penal Code.

Informant has alleged in his FIR that on 26.05.2021 at

about 5:30 A.M., he heard that his brother Sujit Yadav has been killed and dead body has been thrown in Badhar. It is further alleged that deceased Sujit Yadav had love affair with accused Rina Kumari and on account of said dispute informant's brother Sujit Yadv was called and killed by the accused.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. The said Rina Kumari is a married lady whose marriage was solemnized 4-5 years back and has been implicated in this case only on the basis of suspicion and except suspicion and phone call made by Rina Kumari to the deceased on 25.05.2021, there is no other incriminating material against petitioners. Petitioners have no criminal antecedent and are in custody since 27.05.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner nos. 2 to 4, named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Shahpur P.S. Case No. 145 of 2021 (G.R. No. 2772 of 2021) with following conditions:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned

court-below.

(2) The petitioners shall fully cooperate with the investigation / trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(S. Kumar, J)

Rajiv/veena-

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