

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7194 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- GARHI District- Jamui

SURYADEV KUMAR Son of Dashrath Sah Resident of Village - Tisari, P.S.-
Tisari, District - Giridih, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 11154 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- GARHI District- Jamui

DASHRATH SAH @ DASHRATH SAO Son of Late Shukar Sah R/v- Tisari,
P.S.- Tisari, District- Giridih, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 7194 of 2023)

For the Petitioner/s : Mr.Ajit Kumar

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

(In CRIMINAL MISCELLANEOUS No. 11154 of 2023)

For the Petitioner/s : Mr.Ajit Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with
Garhi P.S. Case No. 47 of 2022 registered for the offence under
Sections 302, 120B/34 of the Indian Penal Code and section 27
of Arms Act.

As per FIR, the informant alleged that petitioners are
said to be indulged in hatching conspiracy to commit murder of



the informant's brother namely, Monu Kumar in connivance with others co-accused persons.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. There is no any eye witnesses of the alleged occurrence and these petitioners have falsely been implicated in this case. The name of the petitioners have transpired in this case on the basis of confessional statement of co-accused namely, Thomes Marandi in another case, which has got no evidentiary value in the eye of law. During course of investigation, no any consistent material has come on record to connect their complicity in the alleged offence rather only suspicion has been raised by the informant against the petitioners and made them accused in the present case. It is further submitted that the petitioners have got no criminal antecedents and they are languishing in judicial custody since 28.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioners have made conspiracy to kill the informant's brother after giving money to other co-accused persons to commit the offence.

Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Garhi P.S. Case No. 47 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jamui.

(Sunil Kumar Panwar, J)

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