

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24792 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- AMARPUR District- Banka

1. SHAMBHU DAS SON OF BIJAY DAS RESIDENT OF VILLAGE-
GEDATIKAR, P.S- FULLIDUMAR, DIST- BANKA
2. BABLOO KUMAR DAS SON OF KUMOD DAS RESIDENT OF
VILLAGE- GEDATIKAR, P.S- FULLIDUMAR, DIST- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binodanand Mishra, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

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

As per the prosecution case, it is stated by the informant that there was some dispute between his son and the accused persons including the two petitioners herein. Thereafter his son was called to participate in the panchayati but her son did not return. The informant states that she is convinced that the accused persons including the two petitioners herein have taken her son to an isolated place and have killed him by hanging him from a tree.

It is submitted by learned counsel for the petitioners



that the petitioners have been falsely implicated in the case. Except for raising an unsubstantiated suspicion against the petitioners, no material has transpired against the petitioners in course of investigation to connect them with the alleged crime. At best the case against the petitioners is of last seen. They have no criminal antecedent and are in custody since 9.3.2022. Co-accused Nepal Das has been enlarged on bail vide order dated 3.2.2022 passed in Cr. Misc. no. 51040 of 2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the material that has transpired in course of investigation, grant of bail to the above mentioned co-accused Nepal Das and the petitioners being in custody for 10 months since 9.3.2022, the Court directs the petitioners to be enlarged on bail in connection with Amarpur (Fullidumar) P.S. Case no. 163 of 2021 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 Chief Judicial Magistrate, Banka

(Partha Sarthy, J)

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