

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30592 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- GALGALIYA District- Kishanganj

1. Dhomai Hansda @ Dhamai Hansda @ Dhamesh Hansda @ Dhomes
Hansda Son of Chotu Hansda Resident of Village - Bisnipur (Tulsiya Bhita),
P.S.- Thakurganj, District - Kishanganj
2. Sushil Murmu Son of Pran Murmu Resident of Village - Bisnipur (Tulsiya
Bhita), P.S.- Thakurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioners seek bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

According to prosecution case, in brief, is that the
informant registered F.I.R. before the police stating therein that
on 05.02.2022 her husband Chhote Lal Murmu went to market
to buy groceries and did not returned till late night. In the
morning, accused petitioner Chhote Lal Hansda alongwith her



wife came to informant's house to deliver vegetables and upon her query, about her husband they replied that her husband left vegetable at his home yesterday. When informant's husband did not come back even after 3-4 days then informant alongwith her relatives started search of her husband and on 09.02.2022 she found the dead body of husband near Chenga river lying on the ground. The informant has firm belief that accused petitioners murdered her husband at house.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they has falsely been implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence and only on the basis of suspicion the name of the petitioners have been transpired in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioners. He further submits that the petitioners are in custody since 11.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Galgalia P.S. Case No. 09 of 2022, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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