

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35010 of 2024

Arising Out of PS. Case No.-287 Year-2023 Thana- ROH District- Nawada

1. Hari Om Vishwakarma son of Late Yugal Vishwakarma Resident of Village- Baliyari, P.S.- Roh, Dist.- Nawada
2. Nago Mistry @ Nagendra Vishwakarma son of Late Yugal Vishwakarma Resident of Village- Baliyari, P.S.- Roh, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are custody in a case registered for
the offence punishable under Sections 302/34 of the Indian
Penal Code.

3. As per allegation in the FIR, the informant got
information that her husband was assaulted in night due to
partition of land among brothers and her husband was murdered
upon which informant along with her brothers went to village
where her husband was residing.

4. Learned counsel for the petitioners submits that
petitioners have falsely been implicated in this case. He next



submits that no specific overt-act has been attributed against the petitioners rather allegation against them are general and omnibus in nature. He next submits that there is no eye witness to the alleged occurrence rather all the witnesses are hearsay witnesses including the informant. He next submits that this case arisen due to land dispute and only the petitioners have been implicated as the informant is biased against the present petitioners and not the other family members of the petitioners and petitioners are in custody since 07.08.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioners, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rohit Amritanshu, Judicial Magistrate, Ist Class, Nawada/concerned Court in connection with Roh P.S. Case No. 287 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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