

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47880 of 2025

Arising Out of PS. Case No.-158 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Murari Singh @ Manjit Singh Son of Shambhu Nath Singh Resident of Village-Basatpur, Police Station-Motihari Muffasil, District- East Champaran
 2. Sanjeet Singh @ Sanjeev Kumar Singh son of Shambhu Nath Singh Resident of Village-Basatpur, Police Station-Motihari Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-08-2025 1. Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This is the second attempt for bail on behalf of the
petitioners inasmuch as earlier the regular bail application of the
petitioners was rejected *vide* order, dated 20.01.2025, passed in
Cr. Misc. No. 86731 of 2024.

3. This application, for grant of regular bail, arises out
of Muffasil Police Station Case No. 158 of 2020, disclosing
offences under Section 302, 379, 34 of the Indian Penal Code.

4. The prosecution case, as per the First Information
Report, is that on 06.04.2020, in the evening, all the accused



persons, named in the First Information Report, including the petitioners, came at the door of the informant, with lathi, danda etc. and started abusing him. On objection made by the father of the informant, co-accused Shambhu Nath Singh ordered to kill him and on the said order, all the accused persons assaulted the informant's father by lathi and danda and the petitioners pressed his neck. Co-accused persons also assaulted the mother and father of the informant and when they were taken to the hospital, the father of the informant was declared dead by the doctor.

5. Learned Counsel for the petitioners submits that the deceased was the old uncle of the petitioners, aged about 78-80 years and was suffering from various diseases. There was land dispute between the parties. On the date of occurrence, the deceased fell from his bicycle and succumbed to the injuries and due to land dispute, the petitioners and others have been made accused in this case. The FIR contains no specific allegations against the petitioners, and the post-mortem report does not support the claim of neck-pressing, with the cause of death unascertained and no FSL report is available. He further submits that the petitioners are in custody since 10.08.2024.

6. Regards being had to the submissions made by the



parties and taking into consideration the period of custody of the petitioners and the report submitted by learned Chief Judicial Magistrate, East Champaran at Motihari in which out of eighteen charge sheeted witnesses, only three witnesses have been examined and the rest are yet to be examined, I am inclined to grant regular bail to the petitioners.

7. This application is, accordingly, allowed.

8. 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 learned Chief Judicial Magistrate, East Champaran, Motihari, in connection to the Muffasil Police Station Case No. 158 of 2020.

9. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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