

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79420 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- TEKARI District- Gaya

1. Birendar Bind S/O Girdhari Bind R/O Village-Sherpura Panchdevta (Panchadevta) P.S-Tekari (Tikari) District-Gaya
2. Pappu Bind S/O Birendar Bind R/O Village-Sherpura Panchdevta (Panchadevta) P.S-Tekari (Tikari) District-Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Verma

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 21-04-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Tikari (Tekari) P.S. Case No. 126 of 2023 dated 24.02.2023 registered for the offences punishable under Sections 302, 201, 341, 323, 504, 506 read with Section 34 of the I.P.C.

3. As per the prosecution case, on 09.11.2022 in the evening, when the informant was at her maternal house (Sasural) then she received a call from her Sasural that her husband's brother Suraj Bind and her cousin father-in-law Virendra Bind (petitioner no. 1), Ashok Bind, Raju Bind,



Murari Bind and the cousin brother-in-law Pappu Bind (petitioner no. 2) have altogether killed her husband, Kundan Bind, due to land dispute. On getting information, the informant alongwith her family members went to her Sasural where after seeing the informant, all the accused persons started abusing her and Pappu (petitioner no. 2) and Suraj ordered the other accused persons to kill the informant and her two sons like her husband, Kundan Bind. Thereafter, the accused persons snatched her two sons from the informant and started assaulting the informant. When her mother Lalsa Devi, Mamani Yashoda Devi, Sarita Devi and Mausikiran Devi came to save the informant they were also assaulted by the accused persons. Anyhow, they saved their lives and fled away from there and due to injuries received by the accused persons they were admitted to Magadh Medical Hospital for their treatment. It is further alleged that the husband of the informant was searched by the family members of the informant but he could not be traced out. The accused persons have killed her husband and thereafter his dead body was cremated or concealed.

4. Learned counsel for the petitioners has



submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is an admitted land dispute between the parties. There is no specific allegation against the petitioners rather there is general and omnibus allegation against the petitioners. There is no eye witness to the alleged offence. It is further submitted that the real fact is that the husband of the informant has himself committed suicide as there was matrimonial dispute between the informant and the deceased due to which the deceased used to live in mental tension and no body has killed him. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 21.07.2024. Similarly situated co-accused has already been granted bail by this court vide order dated 16.04.2025 passed in Cr. Misc. No. 76608 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners, above named, are directed to be enlarged on



bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIth, Gaya in connection with (Tikari) Tekari P.S. Case No. 126 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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