

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88514 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- MANPUR District- Nalanda

Ram Kumar @ Raj Niwas Kumar @ Shree Niwas Kumar son of Bipin Bihari
@ Vipin chauhan Village- Newaji Bigha, Police Station- Manpur, District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 88973 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- MANPUR District- Nalanda

Surendra Chauhan Son of Laljit Chauhan Village- Newaji Bigha, Police
Station -Manpur, District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 88514 of 2024)
For the Petitioner/s : Mr. Ganesh Sharma, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP
For the Informant/s : Mr. Sudish Kumar, Advocate
(In CRIMINAL MISCELLANEOUS No. 88973 of 2024)
For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. B.N. Pandey, APP
For the Informant/s : Mr. Sudish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-02-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners have prayed for regular bail in a case
registered for the offence punishable under Sections 191(2),
191(3), 190, 140(1), 61(2), 103, 103(2), 126(2), 115(2), 74, 238,



324(4) of the Bharatiya Nyaya Sanhita.

3. The case of the prosecution is that the petitioners along with others abducted the brother of the informant. After that they assaulted him with an *iron rod, hockey stick* and threw the dead body in Gordhoba River. It is also alleged that knife blow was given in both of the eyes. The brother of the informant was brutally murdered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent as mentioned in para-3 of the petition. From perusal of the FIR, it is clear that the informant has not seen the occurrence and he is not the eye witness but in later part of the FIR he has stated that at the place of occurrence, his mother Sunita Devi, sister Saloni Kumari and Khushboo were there. They have given their statement before police and in their statement they have reiterated the FIR. From perusal of the witnesses who claim them to be eye witness it transpires that they have not seen the occurrence as the FIR was lodged when the dead body was recovered. There is no any specific allegation against any of the petitioners. It is further submitted that the petitioners are languishing in judicial custody since 17.08.2024.



5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Manpur P.S. Case No. 118 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/Successor Court Nalanda at Biharsharif.

(Ashok Kumar Pandey, J)

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