

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5613 of 2015

Arising Out of PS.Case No. -242 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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1. Sunita Devi W/o Manoj Pandit
2. Manoj Pandit S/o Late Dukhan Pandit
All Resident of Village Dighi, Pandit Tola, P.S. Nathnagar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Amit Kr.Rakesh(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 120B of the Indian Penal Code.

It is alleged that the husband of the informant was to accompany the petitioners to Patna on 29.05.2014 and the same day in the night he was to return, but he did not return, then the informant talk to these petitioners and the petitioners replied that the victim was not with them. Next day about 2.30 P.M. there was rumour that a dead body is lying near the Railway bridge subsequently, the dead body was recovered. The informant raised suspicion that at the hands of the petitioners the husband of the informant was killed.

It is submitted by the learned counsel for the petitioners that for the occurrence of 29.05.2014 the complaint was lodged on 26.06.2014, which came to be registered as police case on 11.09.2014 and on recovery of the dead body the U.D. case was registered being U.D. Case No. 34 of 2014. The complainant admitted that on 30.05.2014 she came to know about the death of her husband hence, only on suspicion malicious prosecution has been lodged. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the case, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 242 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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