

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6697 of 2015

Arising Out of PS.Case No. -71 Year- 2013 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bhola Prasad Son of Raghubir Prasad
 2. Monu Kumar Son of Bhola Prasad Both are resident of village- Pakahi, P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 30-07-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Adapur Police Station Case No. 71 of 2013 registered for the offences punishable under Sections 448, 341, 323, 324, 307, 504, 379, 364, 302, 201/34 of the Indian Penal Code.

Petitioners are named in the first information report with accusation that they assaulted the informant with farsa and lathi and furthermore, four days prior to the alleged occurrence they had kidnapped the father of the informant and subsequently they committed murder of the father of the informant.

Admittedly, after missing of his father, the informant gave

a Sanha to officer- in-charge of concerned police station but he did not mention the name of petitioners in the aforesaid Sanha. Moreover, in course of investigation, not a single witness claimed to have seen the petitioners taking away the father of the informant and furthermore, the paragraph-20 of the case diary reveals that the injuries found on the person of the informant were simple in nature.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Raxual at Motihari in Adapur Police Station Case No. 71 of 2013, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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