

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28727 of 2014

Arising Out of PS.Case No. -193 Year- 2013 Thana -RAJPUR District- BUXAR

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1. Satta Chouhan
2. Nagendra Chouhan
3. Kanhaiya Chouhan
All sons of Anirudh Chouhan, R/o Village - Akwarpur, P.S. Rajpur,
District - Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. S.N.Shukla(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-01-2015 Heard learned counsel for the petitioners and
learned counsel representing the State.

The petitioners apprehending their arrest in connection with Rajpur P.S. Case No. 193 of 2013 registered for the offence under Sections 302, 201, 34 of the Indian Penal Code seek privilege of pre arrest bail.

It is submitted that in this case after completing investigation the petitioners have not been sent up and charge-sheet has been submitted only against Anirudh Chouhan, who is the husband. The petitioners are the sons of first wife of Anirudh Chouhan. The informant has also been examined in the trial in Sessions Trial No. 82 of 2014, wherein he has been declared hostile. Similarly, other witnesses have also been

declared hostile and as such the petitioners deserve sympathetic consideration to which the learned APP fairly submits that the petitioners have not been sent up and from the certified copy of the depositions it reveals that informant and other witnesses have turned hostile during trial.

Be that as it may, in case of arrest or surrender before the court below within two months from the date of receipt/production of a copy of this order, the petitioners namely Satta Chouhan, Nagendra Chouhan and Kanhaiya Chouhan shall be released on bail on execution of bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S. Case No. 193 of 2013 with condition as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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