

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29803 of 2014

Arising Out of PS.Case No. -65 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

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1. Guddu Mishra, S/o Shri Uma Shankar Mishra, resident of village- Pator, P.S.A.P.M. (Ashok Paper Mill), District- Darbhanga
 2. Rajesh Mishra, S/o Late Ram Chandra Mishra, resident of village- Pator P.S.A.P.M. (Ashok Paper Mill) District- Darbhanga
- =====

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhash Ranjan Thakur, Advocate

For the Opposite Party/s : Mr. Manoj Kumar No.1 (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-02-2015 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 364 /34 of the Indian Penal Code.

It is alleged that informant's son was a driver of Scorpio vehicle of Shashi Kumar. The said vehicle was being hired by Pashupati Kunwar @ Munna Mukhiya. Subsequently both the driver and Pashupati Kunwar @ Munna Mukhiya went traceless. Bahadpur P.S. Case No. 65 of 2014 was filed by the father of the driver of the alleged vehicle Bechan Ojha whereas Bahadpurpur P.S. Case No. 67 of 2014 was lodged by Sudha Devi W/o Pashupati Kunwar @ Munna Mukhiya. The name of the petitioners sprang up on the confessional statement of

Himeshwar Kumar Mishra @ Himesh Mishra and Santosh Kumar Chaudhary.

It is submitted by the learned counsel for the petitioners that except the confessions statement of the co-accused, there is nothing against the petitioners and undoubtedly, there is no eye witness to the occurrence. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent, where ever the Sanjay Singh whose name also sprang up on the confessional statement of co-accused has been granted bail vide Cr. Misc. No. 28533 of 2014.

Considering the aforesaid facts, 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 Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 65 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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