

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12098 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -KARAHGAR District- SASARAM (ROHTAS)

Banarsi Singh, Son of Sri Kapildeo Singh, resident of Village-Dumara,
P.O.- Baraki Mahuli, P.S.- Kargahar, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.12794 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -KARAHGAR District- SASARAM (ROHTAS)

Rama Kant Trigun, Son of Late Kedar Nath Trigun, Resident of Village -
Dhanej, P.S. - Kargahar, District - Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.13819 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -KARAHGAR District- SASARAM (ROHTAS)

Satyendra Singh, Son of Late Gaya Choudhary, resident of village - Baraki
Mahuli, P.S.- Karagahar, District - Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.25094 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -KARAHGAR District- SASARAM (ROHTAS)

Srikant Singh @ Shrikant Singh, S/o Late Mohan Bhagat, Resident of
Village-Torni, Police Station-Shivsagar, District-Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.12098 of 2015)

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

(In Cr.Misc. No.12794 of 2015)

For the Petitioner/s : Mr. Ashok Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Chandra Singh, APP

(In Cr.Misc. No.13819 of 2015)

For the Petitioner/s : Mr. Sada Nand Ray, Advocate

For the Opposite Party/s : Ms. Madhurilata, APP

(In Cr.Misc. No.25094 of 2015)

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar 2, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 30-07-2015

Since all these applications filed under Section 438 of the Code of Criminal Procedure arise out of the same FIR and, as such, they have been heard together and are being disposed of by a common order.

The petitioners seek anticipatory bail in connection with Kargahar P.S. Case No. 40 of 2014 registered for the offences punishable under Sections 302, 201 and 120-B of the Indian Penal Code.

It is contended that on 19th February, 2014 a dead



body was recovered in village-Pipra, P.S.-Kargahar, District-Rohtas. The villagers informed regarding the same to the Choukidar pursuant to which the Choukidar Markandey Pawan reached near the place where the dead body was lying. Subsequently, on the basis of fardbeyan of the Choukidar, the aforesaid case was registered against unknown. In course of investigation, it transpired that the body was of one Shobha Nath Pandey. His brothers Birendra Pandey and Akhilesh Pandey identified the body on 23rd February, 2014. The brother of the deceased Birendra Pandey has suspected complicity of the petitioners in alleged offence.

It is contended by the respective counsel for the petitioners that save and except wild suspicion and hypothetical presumption there is no other material in the case diary to connect the petitioners in any manner with the alleged offence.

Learned APP for the State after going through the case diary has submitted that the case is based on proof of circumstances and suspicion.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of four weeks from today in the court below, the above named petitioners are directed to be released on anticipatory bail on

furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 40 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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