

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35897 of 2015**

Arising Out of PS.Case No. -116 Year- 2015 Thana -MAKHDUMPUR District-  
JEHANABAD

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1. Krishna Singh  
2. Jitendra Singh  
3. Kapil Dev Singh  
4. Shyam Bihari Singh  
5. Yogendra Singh  
All are Sons of- Late Nawal Kishore Singh, Resident of Village- Chandai,  
P.S.- Makhdumpur, District- Jehanabad.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Jogendra Kumar, Adv.  
For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 04-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The prosecution case is that the husband of the informant without disclosing anything to the informant left the house on 16.4.2015 at about 10.30 a.m. but his whereabouts was not traced in spite of search being made. On 18.4.2015 the informant received information that a dead body is lying in the

agricultural field and then the dead body was recovered with injuries. It is alleged by the informant that some villagers had conveyed her that the petitioners kidnapped her husband and killed him. It is also alleged that informant's husband used to talk with petitioner no. 1 on mobile.

It is submitted by learned counsel for the petitioners that only on suspicion accusation has been levelled and that too on recovery of the dead body.

Admittedly, the informant's husband went traceless on 16.4.2015, but no information was given to the police. The FIR was lodged on 18.4.2015 only on recovery of the dead body. The FIR reached to the Court of Chief Judicial Magistrate, on 20.4.2015 which reflects that the FIR was registered by antedating. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the suspicious nature of acquisition, 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, Jehanabad in connection  
with Makhdumpur P.S. Case No. 116 of 2015, subject to the  
conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

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