

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41805 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -SAHAR District- BHOJPUR

- =====
1. Gorakh Chaudhary Son of Bashah Chaudhary
 2. Mantab Chaudhary @ Mantosh Chaudhary Son of Gorakh Chaudhary
Both residents of village - Dhouri, P.S. Sahar, District - Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Pathak

For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 09-10-2015

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 and 201/34 of the Indian Penal Code.

The father of the informant went missing on 18.05.2015 when suspicion was raised against the petitioners leading to lodging of the written report on 23.06.2015.

It is submitted by learned counsel for the petitioners that there is absolutely no direct evidence in the case which has also been recorded by the learned Sessions Judge. The victim was alcoholic and he went missing on 18.05.2015, but the

written report was submitted on 23.06.2015. The dead body of the victim has not been recovered till date. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. The impugned order also does not suggest any material collected during investigation against the petitioners.

Considering the suspicious nature of accusation coupled with the statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, 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, Bhojpur at Ara in connection with Sahar P.S. Case No. 64 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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