

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34521 of 2015

Arising Out of PS.Case No. -106 Year- 2015 Thana -KASBA District- PURNIA

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1. Raj Kumar Mistri
2. Biren Mistri @ Birain Mistri Both sons of Narayan Mistri resident of village Banaili, P.S. Kasba, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shobha Nath Jha

For the Opposite Party/s : Mr. Shardanand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 364,302,201 and 120B of the Indian Penal Code.

The son of the informant went missing on 10.4.2015 for which a missing report was lodged on 17.4.2015. In course of search, on 5.5.2015 the dead body was found adjacent to railway track near Purnea railway station when suspicion was raised against the petitioner and others since they earlier gave life threatening.

It is submitted by the learned counsel for the petitioners that for the petty dispute the suspicion has been raised and no

material has been collected during investigation against the petitioner. There is no eye witness to the occurrence. The impugned order also does not suggest any direct evidence collected during investigation suggesting the complicity of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the suspicious nature of accusation, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in connection with Kasba P.S. Case No.106 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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