

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48915 of 2014

Arising Out of PS.Case No. -69 Year- 2014 Thana -NAWAKOTHI District- BEGUSARAI

- =====
1. Jhulan Singh @ Krisnarjun Singh, son of Rajendra Singh
 2. Dharma Singh @ Pushkar Kumar son of Jhulan Singh @ Krisnarjun Singh

Both residents of Village Tekanpura, P.S. Nawkothi, District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 19-08-2015

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek anticipatory bail in connection with Nawkothi P.S. Case No. 69 of 2014 registered under Section 364 of the Indian Penal Code.

It is contended that the son of the informant went missing on 29.02.2012. A complaint was filed before the learned Chief Judicial Magistrate, Begusarai in that regard on 2.4.2013. In the said complaint a suspicion has been raised against the petitioners that since a case had earlier been



instituted by the petitioners against son of the informant, namely, Hira Singh, the petitioners might have abducted son of the informant and killed him. The said complaint was referred to the police under Section 156(3) of the Code of Criminal Procedure pursuant to which the instant FIR has been registered on 1.6.2014

It is contended that save and except hypothetical presumption and wild suspicion, there is no other material to connect the petitioners in any manner with the alleged case of missing of the son of the informant. It is further contended that the missing son of the informant was an accused in a case of kidnapping of daughter of one Vijay Rai, who is closely related to the petitioners.

Learned APP for the State after going through the case diary submits that the case is based on circumstantial evidence. He admits that there is undue delay in institution of the complaint.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the 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, Begusarai in connection with Nawkothi P.S. Case No. 69 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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