

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29831 of 2015

Arising Out of PS.Case No. -209 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Baleshwar Sah @ Baleshwar Saw S/o Bindeshwari Sah @ Bidneshwari Saw
2. Rajeshwar Sah @ Rajesh Sah @ Rajesh Saw S/o Bindeshwari Sah @ Bindeshwari Saw Both are R/o village - Parewa, P.S. Shikarganj, Distt. - East Champaran

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav
For the Opposite Party/s : Mr. Ram Sumiran Rai (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302 and 406/34 of the Indian Penal Code.

The prosecution case is that the son of the informant used to work as mason for fixing tiles hence the accused persons took him to Chandigarh for providing employment. Subsequently, the victim returned and thereafter again was taken to Chandigarh by the co accused Rajesh on assurance of making payment of wages. Subsequently, the son of the informant was killed and wages were paid.

It is submitted by the learned counsel for the petitioners that the son of the informant, namely, Arun Patel died in accident which gets reflected from the station diary entry no. 27(P) dated 11.6.2014 as contained in Annexure 2 where the statement of the informant has been recorded and thereafter the present complaint was filed which came to be registered as police case on 18.8.2014. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that from Annexure 2 it appears that the informant was aware about his son having died in accident from before, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned SDJM, Sikrahana, Motihari in connection with Chiraiya (Shikarganj) P.S. Case No.209 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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