

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43788 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

- =====
1. Afzal Hussain Mantu @ Afzal Hussain @ Mantu son of Md. Nafis
 2. Reyaz Ahmad @ Md. Guddu son of Md. Zafir

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Rajpati, Advocate

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 29-10-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 419, 420, 467, 471, 302 and 120B of the Indian Penal Code.

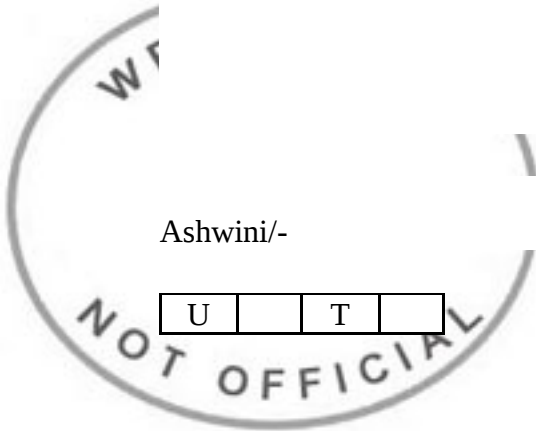
The prosecution case is that the petitioners were employees of the shop of the husband of the informant since 2009. On 10.12.2012, petitioner no.1 took the husband of the informant to Bazar Samittee but on return, the informant found her husband in a very dull condition. On next day, i.e 11.12.2012, petitioner no.1 called on mobile and enquired about the husband of the informant when the informant replied that her husband is sleeping but petitioner no.1 insisted to arrange a talk with her

husband then the informant went to wake up her husband and found him dead. Thereafter petitioner no.1 disconnected the phone when it was suspected that petitioner no.1 under conspiracy administered poison to the husband of the informant.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled and petitioner no.1 on 23.01.2015 filed Ahiyapur P.S. Case No.55 of 2015 levelling accusation under sections 420, 468, 471 and 120B of the Indian Penal Code against son-in-law of the informant thereafter on 27.01.2015, the present complaint was filed which came to register as police case on 20.02.2015 for the occurrence of 10.12.2012.

Considering the suspicions nature of accusation, delayed lodging of the First Information Report, case lodged by the petitioners' side at earlier point of time and 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 arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Ahiyapur P.S. Case

No.133 of 2015, subject to the conditions as laid down under
Section 438(2) Cr.P.C.



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(Dinesh Kumar Singh, J)