

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12334 of 2015

Arising Out of PS.Case No. -184 Year- 2014 Thana -RIGA District- SITAMARHI

- =====
1. Mahendra Ram, Son of Late Arjun Ram
 2. Dev Narayan Ram, Son of Late Arjun Ram
 3. Upendra Ram Son of Late Arjun Ram
 4. Jagat Ram @ Jagat Narayan Ram, Son of Daulat Ram
- All resident of Village - Rampur Gangauli, P.S. - Riga, District -
Sitamarhi. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 30-07-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in connection
with Riga P.S. Case No. 184 of 2014 registered under Sections
302 read with 34 of the Indian Penal Code

At the outset, learned counsel for the petitioners has
submitted that the petitioner No. 3 namely, Upendra Ram and
petitioner No. 4, namely, Jagat Ram @ Jagat Narayan Ram have
already been taken into custody during pendency of the case
before this Court.

In that view of the matter, the prayer for anticipatory bail of the petitioner No. 3 namely, Upendra Ram and petitioner No. 4, namely, Jagat Ram @ Jagat Narayan Ram is dismissed as infructuous.

According to the FIR, the son of the informant went missing on 09.09.2014. Subsequently, on 11.09.2014 his dead body was recovered at about 6.30 a.m. from an open field. The informant has suspected involvement of the petitioners in the murder of his son.

It is contended that save and except hypothetical presumption and wild suspicion, there is no other material to connect the petitioners with the alleged offence.

Learned APP for the State has opposed the prayer for anticipatory bail. However, he concedes that it is a case based on suspicion. He further submits that the informant has alleged that there was rivalry between the parties and due to that the accused persons had earlier threatened the informant.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of four weeks in the court below, the petitioner Nos.1 and 2, namely, Mahendra Ram and Dev Narayan Ram 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, Sitamarhi in connection with Riga P.S. Case No. 184 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.



Sanjeet/-

(Ashwani Kumar Singh, J.)

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