

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9633 of 2015

Arising Out of PS.Case No. -220 Year- 2014 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Manohar Pal, son of Late Chandrika Pal.
 2. Sheopati Debi, wife of Manohar Pal,
 3. Anil Pal, son of Manohar Pal
All are resident of village-Dihara, P.O. + P.S.-Kudra, District-Kaimur (Bhabua).
 4. Vijanta Debi, daughter of Manohar Pal, wife of Brijesh Pal, resident of village-Amiawara, P.S.-Kudra, District-Kaimur (Bhabua).
- Petitioners

Versus

The State of Bihar Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

5 26-08-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

By way of filing an application under Section 438 of
the Code of Criminal Procedure, the petitioners seek
anticipatory bail in connection with Kudra P.S. Case No. 220 of
2014 registered for the offences punishable under Sections 304-
B and 201 read with 34 of the Indian Penal Code.

It is contended that independent witnesses examined
during course of investigation whose statements have been
recorded in paragraph nos. 5, 6, 15, 16, 17 and 18 of the case

diary have not supported the case of the prosecution. They have stated that the victim had gone with her brother to her parents home and in paragraph no. 19 and 27 of the case diary it has come that the investigating officer is trying to find out the whereabouts of the victim.

Learned counsel for the State opposes the prayer for bail. However, he concedes that several witnesses have stated in course of investigation that the victim had gone with her brother to her parental home.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabua in connection with Kudra P.S. Case No. 220 of 2014 subject to the condition as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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