

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53670 of 2015

Arising Out of PS.Case No. -129 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

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1. Dinesh Kumar Sahani @ Dinesh Sahani son of Late Devan Sahani
 2. Birju Sahani son of Late Sadhu Sahani
 3. Pramod Sahani son of Birju Sahani
 4. Ramdeo Sahani son of Dagora Sahani

All residents of village - Kodariya, P.S. - Sibaipatti, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 26-11-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case is that the brother of the informant Manoj Kumar went to the market on 14.05.2014 and returned at 7.00 P.M. Thereafter at 8.00 P.M. Rakesh Sahani



came and asked him whereabouts of his brother Manoj Kumar when the brother of the informant did not return till 12.00 O'clock the mother of the informant went to the house of Bachahan Sahni for search of her son where the petitioners and others taking bath. She asked the reason for taking bath but they did not reply. On 15.05.2014 the dead body of the brother of the informant was found hanging on a tree with a Dupatta tied in his neck. The motive behind the incident was alleged to be love with the sister of Bishu Sahani.

It is submitted by learned counsel for the petitioners that on conclusion of the investigation the accusation was found false and petitioners were not sent up for trial, but differing with the final form cognizance has been taken and only on suspicion the accusation has been levelled.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional

Judicial Magistrate, West Muzaffarpur in connection with
Motipur P.S. Case No. 129 of 2014, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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