

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28258 of 2015

Arising Out of PS.Case No. -279 Year- 2014 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

- =====
1. Nandu Chauhan S/o Late Sri Chauhan R/o Village - Ramhari Pind, P.S. Rajgir, District - Nalanda.
 2. Dharmendra Chauhan S/o Ram Kishun Chauhan R/o Village - Akauna, P.S. Ven, District - Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kumari Sujata Sinha

For the Opposite Party : Mr. Mukesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in Rajgir P.S.Case No.279 of 2014 instituted under Sections 363 and 364/34 of the Indian Penal Cod, pending in the court of SDJM, Rajgir.

It is alleged by the informant that her husband Bablu Chauhan on 25.11.2014 at about 3 P.M. arrived at Sub Divisional Office, Rajgir and gave Rs.20,000/- which was due amount regarding purchasing of land to accused Dilip Chouhan. The *Bhaisoor* of the informant, namely, Sanjay Kumar lodged a *Sanha* at Rajgir P.S. on 27.11.2014 regarding missing of her husband.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioners have

falsely been implicated in the present case. The said fact is evident from perusal of para-43 of the case diary. There is no direct or indirect evidence against the petitioners.

On behalf of the State, it has been submitted that the petitioners is named in the FIR and the victim is still traceless.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioners and the same is rejected.

Anyhow, if the petitioners surrender in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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