

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35069 of 2014

Arising Out of PS.Case No. -102 Year- 2012 Thana -WAJIRGANJ District- GAYA

- =====
1. Arjun Prasad, S/o Late Dhanuk Prasad
 2. Sukhdeo Prasad, S/o Jamuna Prasad.
- Both Residents of Village Manik Bigha, Police Station Fatehpur,
District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 13-03-2015 Heard learned counsel for the petitioners and the

State.

2. Petitioners are apprehending their arrest in connection with a case registered for the offences under Sections 302/201/34 of the Penal Code. They are named in the First Information Report as suspect. It is submitted on their behalf that an application was filed by the informant himself before Senior Superintendent of Police, Gaya which was taken note of by the Investigating Officer in Paragraph 6 of the supplementary case diary. Perusal of Paragraph 6 of the supplementary case diary indicates that in the said application informant asserted that one Sujit Kumar was involved in the alleged murder of his son and

that these petitioners have no hand in the said murder. Such fact is even noted in Paragraph 4 of the order of the learned Sessions Judge refusing bail in the event of arrest.

3. Let petitioners surrender in the court below within a period of four weeks from the date of receipt/ production of a copy of this order in the Court below and apply for regular bail, which should be considered in the light of Paragraph 6 of the supplementary case diary. If it is a fact that informant himself filed any petition before the Senior Superintendent of Police, Gaya that these petitioners are not involved in the crime, appropriate order be passed by the Court below. Until receipt of supplementary case diary in the Court below, no coercive steps be taken against the petitioners.

4. This petition is, accordingly, disposed of.

(V.N. Sinha, J.)

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