

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28975 of 2014

Arising Out of PS.Case No. -105 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Upendra Sah
2. Dilip Sah, both S/o Bishwanath Sah, R/o Village - Bidupur, P.S. Bidupur,
District - Vaishali

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection
with Bidupur P.S. Case No. 105 of 2014 registered for the
offences punishable under Sections 302 and 406/34 of the Indian
Penal Code, seek the privilege of pre-arrest bail.

Allegedly, the husband of the informant was killed after
pushing him in a well.

Submission is of false implication and that after
realizing the informant has appeared in the court of the Chief
Judicial Magistrate, Vaishali and filed a petition stating therein
that she has not named the petitioners in the First Information
Report. She has also stated that her husband after taking wine fell
into the well and died. The witnesses during investigation have

also supported the same fact. The learned A.P.P. submits that it reveals that the informant has compromised the case outside the court and as such, she is not ready to support the prosecution version.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali in connection with Bidupur P.S. Case No. 105 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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