

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20300 of 2016

Arising Out of PS.Case No. -313 Year- 2015 Thana -MALSALAMI District- PATNA

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1. Kanchan Rai S/o Late Dewali Rai
2. Naresh Rai S/O Gunni Rai Both residents of Mohalla- Sarifaganj, P.S.-
Malsalami, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 13-05-2016 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered under
Sections-302, 201 of the Indian Penal Code.

Petitioners are not named in the first informant report
but in course of investigation, they were arrested on the basis of
suspicion as petitioner No. 2 had some talk with the deceased on
her mobile phone, prior to the alleged occurrence. Petitioner No. 2
was interrogated by the police and confessed his guilt, disclosing
this fact that he had illicit relation with the deceased and
furthermore, he had taken loan from the deceased and that is the
reason, he with the help of other accused, committed murder of the

deceased.

Contention on behalf of the petitioners is that petitioners are close relatives of the deceased and as a matter of fact, the police was trying to give shelter to real culprits and being fed up with the behaviour of the police, the son of deceased filed Cr.W.J.C. No. 161 of 2016 for issuance of direction to investigating officer and subsequently, filed protest petition, giving name of real culprits and that is why, the investigating agency, being annoyed with filing of Cr.W.J.C. No. 161 of 2016, implicated the petitioners, who happen to be very close relatives of the informant.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioners named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Malsalami P.S. Case No. 313 of 2015 to the satisfaction of Sri Rajiv Kumar Bharati, learned Judicial Magistrate-Ist Class, Patna City.

(Hemant Kumar Srivastava, J)

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