

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6761 of 2016

Arising Out of PS.Case No. -306 Year- 2001 Thana -JAMHORA District- AURANGABAD

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1. Pradeep Kumar Singh @ Luttu Singh Son of Late Ram Janak Singh
 2. Ram Bahadur Singh Son of Late Shamsheer Bahadur Singh
 3. Shyam Bahadur Singh Son of Late Shamsheer Bahadur Singh
 4. Yamuna Nut Son of Deba Nut All are residents of Village + P.S. –
Jamhore, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302, 201 and 120B/34 of the Indian Penal Code.

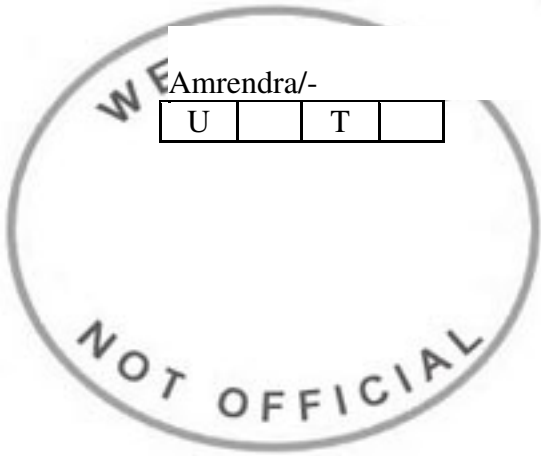
The prosecution case is that elder brother of the informant Sanjay Kumar Singh had gone to work in the field along with his father when the father returned after sometime but brother of the informant did not return. Subsequently decomposed dead body of Sanjay Kumar Singh was recovered when father of the informant raised suspicion on the basis of the fact that he saw petitioners and co-accused Avinash Kumar

Singh, Jhansi Yadav and Pradeep Kumar Singh were standing in the orchard situated near the land where the victim was working. On conclusion of investigation, the final form was submitted on 14.09.2007 but differing with the final form, cognizance has been taken on 22.09.2015.

It is submitted by learned counsel for the petitioners that only on suspicion, accusation has been levelled. In 164 Cr. P.C. Statement also the father of the informant only raised suspicion against the petitioners. Except petitioner no.2 who is accused in one other case wherein he has been granted bail, a supplementary to that effect has been filed, other petitioners have no criminal antecedent.

Considering the fact that accusation is based on suspicion but on conclusion of investigation, the final form was submitted in the 2007 and differing with the final form, cognizance has been taken in the year 2015, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Aurangabad in connection with Jamhore P.S. Case No. 306 of 2001, subject to

conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)