

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39806 of 2015

Arising Out of PS.Case No. -566 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Md. Royeb @ Royeb @ Md. Sohaib, Son of Md. Salim
2. Md. Tabarak Son of Md. Moin
Both resident of Mohalla- Rampara, P.S.- Katihar town, Dist- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 28-01-2016 Heard Sri Arun Kumar Mandal, learned counsel for the

petitioners, Sri Tarun Prasad Mandal, learned A.P.P. and Sri Ravi
Bhushan Prasad No. 1, learned counsel who has voluntarily
appeared on behalf of the informant.

Two petitioners apprehending their arrest in connection
with Katihar Town P.S. Case No. 566 of 2014 registered for the
offence punishable under Section 302 of the Indian Penal Code
have prayed for grant of anticipatory bail.

By way of referring to the F.I.R. learned counsel for
the petitioners submits that F.I.R. was lodged against unknown
and on perusal of the F.I.R. it appears that the deceased had
committed suicide whereas during investigation suspicion has
been raised against the petitioners also without any cogent

material. He submits that investigation is still continuing.

Sri Ravi Bhushan Prasad No. 1, learned counsel for the informant has vehemently opposed the prayer of the petitioners. He submits that during investigation certain materials have been collected pointing accusation against the petitioners. However save and except making statement that there is specific accusation against the petitioners he was not in a position to satisfy the court regarding accusation.

Keeping in view the fact that F.I.R. was lodged against unknown and only suspicion has been raised against the petitioners and investigation is still continuing, the court proposes to extend the privilege of bail to the petitioners till completion of investigation. Accordingly in the event of arrest or surrender within a period of six weeks from today, let both the petitioners Md. Royeb @ Royeb @ Md. Sohaib and Md. Tabarak be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, District Katihar in connection with Katihar Town P.S. Case No. 566 of 2014 on a condition that one of bailors must be close blood relation of the petitioners and the petitioners shall render full co-operation to the investigating officer during the

investigation.

It is made clear that if during investigation sufficient material is collected against the petitioners and police submits charge sheet against both the petitioners, this anticipatory bail shall automatically come to an end and thereafter, the petitioners will surrender before the court below and make a prayer for regular bail.

(Rakesh Kumar, J)

Praful/-

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