

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6996 of 2016

Arising Out of PS.Case No. -212 Year- 2014 Thana -PALIGANJ District- PATNA

- =====
1. Upendra Singh son of Sri Ram Ashish Singh
 2. Bhim Singh son of Sri Ram Ashish Singh Both residents of village Dharahara, P.S. Paliganj, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-02-2016

Heard learned counsels for the petitioner and the State.

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

The prosecution case is that the informant's son Srikant Singh performed love marriage with Ponam Devi which was protested by the petitioners and Soni Devi being the brothers and mother of Ponam Devi. The informant's son went to his in-laws house to bring back his wife which was protested by the accused persons when they killed the son of the informant by administering poison and subsequently after getting the victim reached to the hospital they informed the informant.

It is submitted by learned counsel for the petitioners that

there was a dispute between the victim and Soni Devi with regard to taking away Poonam Devi to her in-laws house when the victim consumed poison and the accused persons took the victim to hospital and made attempt to save his life. The postmortem report reflects no injury. The cause of death has not been ascertained as viscera has been preserved. On conclusion of investigation, the petitioners were not sent up for trial and only chargesheet was submitted against Soni Devi but differing with the final form, cognizance was taken against the petitioners also. Subsequently Soni Devi has been granted regular bail.

Considering the suspicious nature of accusation and the fact that after conclusion of investigation the petitioners were not sent up for trial, 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 learned A.C.J.M., Danapur in connection with Paliganj P.S. Case No. 212 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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