

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12725 of 2016

Arising Out of PS.Case No. -27 Year- 2014 Thana -BELSAND District- SITAMARHI

Mukund Kumar Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.12804 of 2016

Arising Out of PS.Case No. -27 Year- 2014 Thana -BELSAND District- SITAMARHI

Subhash Kumar Singh @ Subhash Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.12725 of 2016)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. D.P.Tiwary(App)

(In Cr.Misc. No.12804 of 2016)

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 18-03-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code. Subsequently, Sections 364, 302 and 201 IPC were also added.

The prosecution case is that the nephew of the informant, Prashant Kumar went missing on 13.03.2014

while playing in the company of the niece of the informant, Anuradha Kumari having son of one Raman Choudhary, the FIR was lodged against unknown. On recovery of the dead body sections 364, 302 and 201 IPC was also added.

The statement of the parents of the victim boy was firstly recorded on 14.03.2011 but they did not whisper against the petitioners. However, after three months from the date of lodging of FIR the suspicion was raised against the petitioners by the parents of victim. On conclusion of the investigation the petitioners were not sent up for trial when co-accused Pawan and Abhishek were charge-sheeted, but differing with the final form order of cognizance was passed.

Statements have been made in both the petitions that the petitioners have no criminal antecedent.

Considering the fact that the petitioners were not sent up for trial and suspicion was raised much after lodging of the FIR, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Sitamarhi in connection

with Sessions Trial No. 407 of 2014 arising out of Belsand
P.S. Case No. 27 of 2014, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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