

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16927 of 2016

Arising Out of PS.Case No. -248 Year- 2015 Thana -KOTWALI District- MUNGER

1. Amit Kumar Son of Sakaldeo Sahni, Resident of Village - Chaukhandi,
P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.16253 of 2016

Arising Out of PS.Case No. -248 Year- 2015 Thana -KOTWALI District- MUNGER

1. Sheela Devi wife of Sakaldeo Sahni, resident of Village- Chaukhandi,
P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.16927 of 2016)

For the Petitioner/s : Mr. Uma Shankar Prasad Singh

For the Opposite Party/s : Mr. Yogendra Kumar (App)

(In Cr.Misc. No.16253 of 2016)

For the Petitioner/s : Mr. Uma Shankar Prasad Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioner (Amit Kumar) in Cr. Misc. No. 16927 of
2016 and the petitioner (Sheela Devi) in Cr. Misc. No. 16253 of
2016 apprehend their arrest in connection with a case registered
for the offences punishable under Sections 364/302/201/120(B)/34
of the Indian Penal Code and Section 27 of the Arms Act.

Diary in this case was called for earlier which has since been received.

Learned counsel for the petitioners submits that altogether farfetched allegations have been made against these petitioners who are the brother-in-law and mother-in-law of the informant. The allegation against these petitioners is that Satish Kumar Kushwaha, uncle of the informant Kundan Kumar, disappeared and only because his uncle had been supporting the marriage between informant and the sister of the petitioner that the informant suspected that they had participated in the alleged abduction. It is further submitted that on mere speculation that there was illicit relationship between the victim and informant's mother-in-law, the said Sadanand Yadav and Sakaldeo Sahni had participated in the present occurrence.

Learned counsel for the State after perusal of the case diary submits that there is no communication between the petitioners and the informant and the allegation made out in the First Information Report does not find support by any further material which has come during the course of investigation.

Considering the aforementioned vague allegations made purely on the basis of speculation and that these petitioners have got clean antecedent, let the petitioners above named, in the event

of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 248/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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