

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54500 of 2015

Arising Out of PS.Case No. -170 Year- 2014 Thana -SALIMPUR District- PATNA

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1. Kundan Sao @ Kundan Kumar son of Raj Kishore Sao, District- Patna
2. Salgam Pal @ Sangam Pal son of Ranjan Prasad, both resident of village-
Dih Manjhauli, P.S.- Salimpur, District- Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Parashuram Singh, Advocate.

For the Opposite Party : Mr. Ashok Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-07-2016 Heard both sides.

The petitioners apprehend their arrest in Salimpur P.S.
Case No. 170 of 2014 registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The widow of the deceased 20.10.2014 Kundan Sao @
Kundan Kumar took her husband and immediately after Rahul
Sah, Awanish Pal and Salgam Pal @ Sangam Pal petitioner no. 2
also joined Kundan Sao @ Kundan Kumar to participate in party
but her husband did not return till 21.10.2014. The dead body of
the husband of the informant was found on 23.10.2014 in a ditch
situated near Karota railway station.

Learned counsel for the petitioners submits that the
informant is not an eye witness of the occurrence. U.D. Case was

registered after recovery of the dead body, but the person who identified the deceased did not lodge the case. There was no apparent injury on the dead body. The FSL report also shows that no poisoning substance was found in the viscera. Other independent witnesses have stated that the petitioners have falsely been implicated in the case.

It appears that the informant and other witnesses have very categorically stated that the petitioners took the deceased to participate in a party thereafter the deceased did not return and his dead body was found in a ditch.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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