

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53645 of 2016

Arising Out of PS.Case No. -114 Year- 2013 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Shanti Devi, Wife of Mohan Prasad, resident of Village- Dhoom Nagar,
P.S. Nautan, District West Champaran.
2. Dharendra Kumar Sharma, Son of Shivjee Sharma, resident of Village-
Parbatiya Tola, P.S. Nautan, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Nautan P.S. Case No. 114 of 2013 registered under Sections
302 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that it
would appear from the F.I.R. that while the deceased, brother of
the informant, was missing in the night of 29/30.04.2013 from his
Dalan and the F.I.R. was lodged after recovery of the dead body in
the field on 01.05.2016 raising suspicion against the petitioners
with contention that since petitioner no. 2 used to visit at the house



of the petitioner no. 1, who is the ant of the informant, regarding which, informant made protest then petitioner no. 2 has earlier threatened for dire consequences. The police on investigation submitted final form against the petitioners but the learned Magistrate took the cognizance of the offence under Sections 302 and 120B/34 of the Indian Penal Code differing with the final form.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan P.S. Case No. 114 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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