

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18201 of 2016

Arising Out of PS.Case No. -302 Year- 2014 Thana -AMARPUR District- BANKA

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1. Kampani Pandit Son of Late Baij Nath Pandit
2. Suresh Pandit Son of Late Rahunandan Pandit
3. Mukesh Pandit Son of Kampani Pandit All resident of village - Keshpur,
P.S. Amarpur, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 27-04-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case is that the brother of the informant namely Ranjeet Choudhary on 8.10.2014 at 7 P.M. went in the company of Raghu Choudhary, Pintu Choudhary and Beda Choudhary but he did not return. On 9.10.2014 the informant went to the house of the accused persons when the accused persons admitted that the victim was in their company on 8.10.2014 in the night. On 10.10.2014 the dead body of the brother of the informant was recovered from a pond.

It is submitted by the learned counsel for the petitioners that only on suspicion the accusation has been levelled. On conclusion of investigation the final form was submitted and the petitioners were not sent up for trial but differing with the final form cognizance was taken. Statements to that effect have been made in paragraphs 11 and 12 of the petition. Statement has also been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the petitioners were not sent up for trial after conclusion of investigation and they have no criminal antecedent, 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Banka in connection with Amarpur P.S. Case No. 302 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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