

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32920 of 2016**

Arising Out of PS.Case No. -185 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Md. Wahab son of Late Islam  
2. Md. Ahmad son of Late Manir Both are resident of Village- Rampur  
Mohanpur Paschim Ward No.10, P.S.- Araria (Bairgachhi)

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      09-12-2016                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in connection with Araria (Bairgachhi) P.S. Case No. 185 of 2016 instituted for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that the husband of the informant had gone outside without any information and did not return. Subsequently, his dead body found in mutilated condition lying in the field.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. Petitioners have been made accused merely on the basis of suspicion. There is no such substantive evidence to suggest their implication in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi) P.S. Case No. 185 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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