

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51131 of 2016

Arising Out of PS.Case No. -39 Year- 2015 Thana -SIKARHATA District- BHOJPUR

- =====
1. Surendra Yadav @ Neta @ Surendra Singh son of Sidh Nath Yadav, resident of village Badiha, P.S. Nasriganj, District Rohtas
 2. Gudia Rani @ Gudia Kumari wife of late Akash Kumar, resident of village Sikarhatta Khurd, P.S. Sikarhatta, District Bhojpur
 3. Sangeeta @ Sangita Rani @ Sangeeta Rani @ Mantu wife of Surendra Yadav, resident of village Sikarhatta Khurd, P.S. Sikarhatta, District Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-01-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302/34 of the Indian Penal Code.

Allegation is that the brother of the informant was burnt to death by the petitioners.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The alleged occurrence is said to have taken place on 23.5.2015 but the fard beyan was recorded on 31.5.2015. Delay has not been



explained. The witnesses in course of investigation in paragraphs 17, 33 and 34 of the case diary have not supported the allegations made in the F.I.R. The deceased is said to have died due to accidental fire. The said fact is supported from the examination of the P.O. by the Investigating Officer, which is in paragraph 9 of the case diary. There is land dispute between the parties.

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 S.D.J.M., Ara, District Bhojpur in connection with Sikrahatta P.S. case No.39 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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