

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60054 of 2017

Arising Out of PS.Case No. -260 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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1. Kanchan Mandal,
 2. Toofani Mandal,
 3. Dipak Mandal @ Deepak Kumar, All Son of ChandraShekhar Mandal,
 4. Chandrashekhar Mandal S/o Basudeo Mandal, All R/o Vill.- Salauna Chak, P.S.- Lakhisarai, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302, 201 and 120B/34 of the Indian Penal Code.

The prosecution case is that on 20.06.2017 at 6.00 A.M. the informant's husband left his house on his tractor, when the informant heard the petitioners saying that they will eliminate the husband of the informant. On 22.06.2017 the dead body of the husband of the informant was recovered, leading to the registration of the present case.

It is submitted by learned counsel for the



petitioners that the petitioners are the neighbours of the informant and in the background of land dispute the suspicion has been raised by the informant. There is no eye witness to the occurrence. It is further submitted that it appears unreasonable that on 20.06.2017 the informant heard about giving threats by the petitioners but the FIR was lodged only after recovery of the dead body.

Considering the nature of accusation on the basis of suspicion, the petitioners having dispute with the informant from before, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 260 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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