

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53341 of 2016

Arising Out of PS.Case No. -99 Year- 2016 Thana -JANTA BAZAR District- SARAN

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1. Amit Kumar Rai,
2. Aditya Kumar Rai, Both S/o Suresh Rai, R/O village- Mangauli, P.S.-
Janta Bazar, District- Chapra at Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate.

For the Opposite Party/s : Mr. Sri Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 09-01-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Janta Bazar P.S. Case No. 99 of 2016 registered under
Section 302/34 of the Indian Penal Code.

The allegation is that, on 27.05.2016, Sunil Rai,
husband of informant, was called by the petitioners from his
house. On query by the father-in-law and brother-in-law of
informant, petitioners did not give any reply. Later on, petitioner
no. 1 informed through his mobile at the mobile of Amitesh,
nephew of informant, about accident of Sunil Rai, husband of
informant and the dead body was dropped by Ambulance at the



house of informant. On seeing the dead body, informant became unconscious. At that time, the persons who had carried the dead body of her husband, told that the deceased was met with an accident and a case was also lodged in that regard in Bhagwan Bazar Police Station while informant tried to go to the police station but the petitioners forbade her. The informant raised suspicion about murder of her husband by these petitioners.

Learned counsel for the petitioners submits that, in fact, husband of complainant/informant met with an accident in course of driving of motorcycle and he was rushed to Primary Health Clinic, Mashrakh, from where, he was referred to Sadar Hospital, Chapra for better treatment and Anil Rai, own brother of husband of informant gave information about accident on which, Mashrakh P.S. Case No. 177 of 2016 was instituted on 05.06.2016. But with ulterior motive the petitioners have falsely been implicated in this case. It is further submitted that it would appear from the F.I.R. that while the occurrence took place on 27.05.2016 but the Complaint Case No.2189 of 2016 was filed on 03.08.2016 after three months which is the basis of FIR.

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 Additional Chief Judicial Magistrate-I, Chapra, in connection with Janta Bazar P.S. Case No. 99 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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