

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1420 of 2017

Arising Out of PS.Case No. -362 Year- 2016 Thana –JAHANABAD (KALPA O.P.) District-
JEHANABAD

=====

1. Bhulan Sao @ Jhulan Sao, son of late Dukhit Sao
2. Md. Musa Ansari, son of Alimudin Ansari
3. Ranjit Paswan @ Gabar, son of Ramkewal Paswan
All Resident of Village-Badhar, P.S.-Kalpa (O.P.), Jehanabad, Distt.-
Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate.

For the Opposite Party/s : Md. Sufiyan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 09-02-2017 Heard learned counsel for the petitioners and the
State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Sections 147, 148, 149, 341, 342,
302 and 120-B of the Indian Penal Code.

It has been submitted on behalf of the petitioners that
there is no eye witness of the occurrence. Mere suspicion has been
raised against the petitioners. The petitioners are not the family
members of Barik Mian.

It is alleged in the written report that the informant
received information that the dead body of his son Rustam and
nephew (Bhagina) Akhtar are lying in village Badhar. He reached



the Sadar Hospital Postmortem House, Jehanabad, and identified the dead bodies. It is alleged that his son Rustam and his nephew Akhtar used to talk in the house of Barik Mian and it is suspected that family of Barik Mian killed both of them in conspiracy and shouted "*Chor-Chor*".

Case diary has been received. The learned A.P.P. has pointed out after looking into the case diary that mere suspicion has been raised by the witnesses in paragraphs-6, 19, 26, 27, 28, 29, 39, 50 and 51 of the case diary.

From the written report itself it appears that there is no eye witness of the case. The informant alleged that it is suspected that family members of Barik Mian killed the deceased in conspiracy and shouted "*chor-chor*". It has come during investigation that deceased had love affair with the daughter of Barik Mian. It is mentioned in paragraph-11 of the case diary that the petitioners are not the family members of Barik Mian rather they are villagers.

Considering the facts and circumstances of the case, let the petitioners above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Jehanabad (Kalpa O.P.) P.S. Case No. 362 of 2015, shall be released on anticipatory bail on furnishing bail bond of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

