

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2630 of 2017

Arising Out of PS.Case No. -157 Year- 2012 Thana -SARAIYA District- MUZAFFARPUR

- =====
1. Sanjeev Kumar @ Chintu son of Late Kabindra Singh
 2. Ritesh Kumar @ Mintu Singh son of Bhirgunath Singh, Both resident of Village and P.O. Kamalpura, P.S. Paroo, District- Muzaffarapur.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur &
Mr. Nilesh Kumar, Advocates.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-01-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Saraiya P.S. Case No. 157 of 2012 for the offences punishable under sections 120 (B), 328 and 302/34 of the I.P.C.

At the very out set, it has been submitted that the occurrence was of 30.04.2012, whereas, complaint case was lodged on 09.05.2012 with concocted and manufactured story, though earlier the informant has given fardbeyan in Ahiyapur Police Station where nothing has been alleged. However, in this case after completing investigation final form was submitted, vide Annexure-3. In the F.S.L. report no poisonous substance was



found in the viscera of the deceased and it was natural death but cognizance has been taken after differing with the view of the investigating officer and hence the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that in this case after completing investigation final form was submitted after finding the case as of mistake of fact.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. S.D.J.M. West, Muzaffarpur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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