

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11342 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -DHANAHAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Chulai Kushwaha Son of Ramdhari Kushwaha
 2. Raj Kishore Kushwaha Son of Chulai Kushwaha Both residents of
Village - Khalwapatti, P.S. - Dhanaha, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 21-04-2017 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 Dhanaha P.S. Case No. 52 of 2016 for the offence punishable under section 302/34 of the I.P.C.

Allegedly, the dead body of Nandu Gupta, the son of the informant, was found near the bamboo clump of Sanjay Dubey. During investigation it transpires that the deceased was having love affairs with Rajmati Devi and the deceased had gone to her house then the family members of Rajmati Devi assaulted the deceased and killed him.



Submission is of false implication and that besides the confessional statement of Rajmati Devi there is no legal and tangible material against the petitioners, there is no eye witness of the occurrence, no one has seen the actual killing, no one has seen the petitioners in the company of the deceased and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering that besides the confessional statement of Rajmati Devi no other material is against the petitioners and as such the petitioners, in the event 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. A.C.J.M. Bagaha, West Champaran 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)

Abhay/-

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

