

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58506 of 2018

Arising Out of PS.Case No. -175 Year- 2015 Thana -KARPI District- JEHANABAD

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1. Awadhesh Singh, S/o Late Bhala Singh,
 2. Pintu Singh, S/o Shri Awadhesh Singh, Both are R/o Vill.- Narga Bazar,
P.S.- Karpi, District- Arwal.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Prasad Singh, Advocate.

For the Opposite Party : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 302 of the IPC and 27 of
the Arms Act.

The prosecution story, in brief, is that on 23.10.2015
at about 8.00 P.M., the informant's husband had gone field for
irrigation of paddy crops but he did not return till next morning.
Her son Vikash Kumar disclosed that his father was killed. She
came to know that during the course of irrigation, her husband was
shot dead at night by some unknown miscreants.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. There is no eye witness to the alleged occurrence nor there is circumstantial evidence to suggest the implication of the petitioners in the present case. Subsequently, the informant after a period of four months, made a petition to the Investigating Officer where she named the petitioners. In the said petition, no reason has been assigned on behalf of the informant for not naming the petitioners in the F.I.R. itself.

On behalf of the learned counsels for the State and informant, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Arwal, in connection with Karpi P.S. Case No. 175 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

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(Sudhir Singh, J)

