

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55021 of 2017

Arising Out of PS.Case No. -171 Year- 2017 Thana -BOCHHA District- MUZAFFARPUR

Vinod Kumar Singh @ Vinod Singh, son of Late Ramchandra Singh
Resident of village - Rampur Jaipal, P.S. - Bochahan, District -
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.1005 of 2018

Arising Out of PS.Case No. -171 Year- 2017 Thana -BOCHHA District- MUZAFFARPUR

Raushan Kumar, S/o Hari Kishore Singh, R/o Village - Madhaypura, Dist. -
Siwaipatti, Dist. - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.55021 of 2017)

For the Petitioner/s : Mr. Ravi Ranjan, Advocate.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

(In Cr.Misc. No.1005 of 2018)

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-02-2018 Supplementary affidavit has been filed on behalf of

the petitioner of Cr. Misc. 55021 of 2017. Let it be kept on the

record.

Heard learned counsel for the petitioners and the

State.



The petitioners apprehend their arrest in **Bochahan P.S. Case No. 171 of 2017** instituted for the offence under Sections 147, 148, 149, 302, 201 and 120(B) of the Indian Penal Code.

In the written report it is alleged that younger brother of the informant had gone to Muzaffarpur for some work and he did not return. The informant received call of his brother on his Mobile Phone who informed him that 13-14 persons have taken him on Motorcycle. The informant went to Garha Chowk in Muzaffarpur where he was told by the persons of the locality that petitioners along with 11 persons and 5-6 unknown persons have killed his brother. It is mentioned in the written report that dead body was recovered with the help of local Administration and team of SDRF from the flood water.

Learned counsel for the petitioners has submitted that in the entire First Information Report mere suspicion has been raised against the petitioners. The dead body has been recovered from flood water kept in a gunny bag.

Case diary has been received.

Learned A.P.P. after perusing the case diary has submitted that mere suspicion has been raised against the petitioners.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bochahan P.S. Case No. 171 of 2017**, they 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 Sub Judge-11th-cum-Additional Chief Judicial Magistrate, Muzaffarpur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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