

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63356 of 2017

Arising Out of PS.Case No. -110 Year- 2016 Thana -SANDESH District- BHOJPUR

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1. Butan Chaudhary @ Ramjee Chaudhary, Son of Late Prem Chandra Chaudhary, Resident of Village- Arwal Sipah, P.O.- Sipah, P.S.- Arwal, District- Arwal.
 2. Jitendra Chaudhary @ Satendra Chaudhary, Son of Nepali Chaudhary, Resident of Village- Mansinghpur, P.S.- Telhara, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate.
For the informant : Mr. Ram Lallan Singh, Advocate.
For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sandesh P.S. Case No. 110 of 2016** instituted for the offence under Sections 302, 34, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the *Fard-e-beyan* that brother of the informant was shot dead and on 24.07.2016 in the morning his dead body was found behind the Sone river. It is further alleged that on 23.07.2016 at 8:30 p.m. mother of the informant received call from the mobile of the deceased in which ransom of



Rs.5,00,000/- was demanded and for non-fulfillment of the said demand, threat was given to her. The informant has alleged in the written report that his brother has been killed by the accused persons as the marriage of deceased brother of the informant fixed with daughter of petitioner No. 1 had broken.

Case diary has been received.

Learned A.P.P. has submitted that the confessional statement of Satendra Choudhary is available in paragraph-34 of the case diary wherein he has taken the name of Kishore Choudhary of committing murder of brother of the informant.

In the Fard-e-beyan mere suspicion has been raised against the petitioners.

Learned counsel for the informant has appeared and opposed prayer for anticipatory bail of 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 **Sandesh P.S. Case No. 110 of 2016**, 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 Additional Chief Judicial Magistrate-IX, Bhojpur, Ara,**



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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