

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63412 of 2018

Arising Out of PS. Case No.-546 Year-2010 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Dholan Chouhan son of late Ram Swarup Chouhan
 2. Hirawan Chouhan @ Hiranman Chouhan son of Dholan Chouhan
 3. Smt. Rajamati Devi @ Rajamoti Devi Wife of late Manoj Chouhan and D/o of Dholan Chouhan All Resident of Village-Dahma, Police Station Bhadaur in the District of Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Prit Chauhan S/o later Jagdish Chauhan Resident of Village-Khajurar Kazichak, P.S.-Bhadaur Distt.-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma
For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302/120B of the Indian Penal Code.

The prosecution case, in brief, is that on the issue of payment of money, dispute arose and in consequence thereof, the accused persons murdered the son of the informant and threw the dead body near Beur Jail.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. As per



the complaint case, the date of occurrence is said to be 02-06-2010 but the complaint was filed on 24-08-2010. The delay has not been explained by the prosecution. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioners in the present case. No specific overt act has been attributed to petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Additional Chief Judicial Magistrate-IV, Barh, Patna in connection with Complaint Case No. 546© of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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