

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44087 of 2018

Arising Out of PS.Case No. -45 Year- 2013 Thana -DHANARUA District- PATNA

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1. Ram Pravesh Yadav, S/o Late Bulkan Prasad Yadav,
2. Ranjeet Kumar S/o Late Sahay Prasad,
3. Ranjeet Kumar S/o Late Ram Piyare Yadav @ Late Pyare Prasad, All R/o
Vill.- Mai, P.S.- Dhanarua, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv
For the State : Mr. Dr.Mrityunjaya Kr.Gautam, APP
For the Informant : Mr. Rajendra Kumar Jain, Adv

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 06-10-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in
a case registered for the offences punishable under
Sections 341,323,504,302,201,306 of the Indian Penal
Code.

According to complaint based FIR, the
petitioners assaulted to Ranjeet Pal with various weapons,
as a result whereof, Ranjeet Pal died. Thereafter, the dead
body of Ranjeet Pal was hung with a rope, just to give a
colour of suicidal death. Thereafter, dead body was
disposed of and then complaint petition was filed.



Therefore, there is no evidence in this case, as to whether the deceased had sustained any injury on his person or not as alleged. Moreover, after completion of the investigation, the police did not send up the petitioners for trial. However, the learned Magistrate has differed with the police report and taken cognizance against the petitioners.

Submission of the learned counsel for the petitioners is that many of the family members including uncle of the deceased have stated before the police that the deceased committed suicide due to some differences with wife, who was mentally retarded lady.

On the other hand, learned counsel for the complainant opposed the prayer for anticipatory bail on the ground that the witnesses including the complainant have supported the allegation before the police also as eye witness.

Considering the fact that there is no substantial material against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each



to the satisfaction of learned court below where the case is pending in connection with Dhanarua P.S.Case No. 45 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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