

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67894 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- SIWAIPATTI District- Muzaffarpur

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1. Ravi Ranjan Kumar @ Ravi Ranjan Chaudhary, Son of Vijay Kumar Chaudhary
 2. Mamta Devi, Wife of Vijay Kumar Chaudhary
- Both Resident of Village-SurjanPakari,P.S. Siwaipatti,Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 120B,302 and 34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report submitted by Malti Devi to the Station House Officer, Siwaipatti Police Station is to the effect that on 06.08.2018 at about 2.00 P.M., the husband of the informant Dinesh Thakur had gone towards Banghara Bazar from his house and in the evening, the informant had a talk with him on his mobile phone, whereupon, he informed to the informant that he will return in a



while, but after 7.45 PM, while the informant's husband did not return, the informant tried calling on his mobile phone, but it was found not reachable. Next morning, the informant got to know that the dead body of the informant's husband was lying in a field. It is further alleged that the petitioners and others, due to previous enmity, might have killed the husband of the informant.

It is submitted by learned counsel for the petitioners that only on suspicion the accusation has been levelled against the petitioners. In fact, the parties are at litigated term since before as the father of petitioner no.1 has filed Siwaipatti P.S. Cas No.7/2018 against the husband of the informant and as a counter blast, one Ravindra Thakur filed Complaint Case No.269 of 2017, thereafter Siwaipatti P.S. Case No.112/2017 was lodged by the husband of the informant against the petitioner and others. Moreover, during investigation, except suspicion, no plausible material has been collected against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned counsel for the informant that during course of investigation the witnesses have stated that due to previous enmity the petitioners and others might have killed



the husband of the informant.

Considering the suspicious nature of accusation, moreover, the impugned order does not suggest any direct evidence against the petitioners collected during investigation, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Siwaipatti P.S. Case No.65/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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