

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48556 of 2017

Arising Out of PS.Case No. -177 Year- 2015 Thana -BHELDI District- SARAN

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1. Ajit Singh @ Ajit Kumar Singh, Son of Sahnkar Singh,
2. Babulal Singh, Son of Late Chandar Singh,
Both R/o Village- Pojhi, P.S.- Marhowrah, District- Saran at Chapra.
3. Umesh Singh @ Umesh Kumar Singh, Son of Late Bhagwan Singh, R/o
Village- Maharua, P.S.- Bheldi, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.
For the State : Mr. Atul Chandra, APP
For the Informant : Mr. Basant Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 05-01-2018 By order of this Court, dated 18.10.2017, case diaries of Bheldi P.S. Case No. 177 of 2015 and Marhowrah P.S. Case No. 325 of 2015 were called for, which have been received. By the same order, the interim protection was granted to these petitioners by allowing them provisional anticipatory bail.

Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the informant.

This application, for grant of anticipatory bail, arises out of Bheldi P.S. Case No. 177 of 2015, disclosing offences under Sections 302, 201 and 120(B) of the Indian Penal Code.



While allowing provisions anticipatory bail to these petitioner *vide* order, dated 18.10.2017, the Court noticed the fact that petitioner No. 1 is the son of the deceased, whereas, petitioner No. 2 is the father of the deceased and the informant is the uncle of petitioner No. 1. In respect of the death of the deceased, a First Information Report was earlier registered by petitioner No. 1, giving rise to Marhowrah P.S. Case No. 325 of 2015, on 02.09.2015. The present case has been registered on the basis of a complaint case filed subsequently by the informant, who is the uncle of petitioner No. 1, on 07.09.2015.

Learned Additional Public Prosecutor, appearing on behalf of the State of Bihar, referring to the case diaries, could not point out any incriminating material against these petitioners except that they were last seen with the deceased.

Considering the fact that there is no concrete material collected in course of investigation by the police, showing implication of these petitioners in commission of crime, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional**



Chief Judicial Magistrate-II, Saran at Chapra, in connection with **Bheldi P.S. Case No. 177 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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