

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3332 of 2018

Arising Out of PS.Case No. -3 Year- 2014 Thana -SHEIKHOPUR SARAI District- SEKHPURA

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1. Rakesh Kumar, son of Dinesh Singh
 2. Sipul Kumar, son of Anuj Kumar
 3. Sushil Kumar @ Tunni Kumar, son of Masudan Singh
 4. Uday Shankar Singh, son of Brijnandan Singh

All are resident of village Nimi, P.S. Shekhapur Sarai, Distt. Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Bachan Singh, 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 **Shekhopur Sarai**

P.S. Case No. 3 of 2014 instituted for the offence under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that occurrence has taken place on 30.9.2013 and the complaint has been filed by the father of the deceased on 2.1.2014. On the basis of complaint petition, First Information Report has been registered on 5.2.2014.

The police initially after investigation submitted final form as mistake of fact.

Learned counsel for the complainant has appeared and submitted that witnesses have taken the name of the petitioners. They have stated that petitioner No. 2 was last seen with the deceased.



From perusal of the complaint filed by the complainant, this Court finds that mere suspicion has been raised against the petitioners. Moreover, the case has been lodged after delay of 3 months.

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 **Shekhopur Sarai P.S. Case No. 3 of 2014**, 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-1, Sheikhpura**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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