

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12380 of 2019

Arising Out of PS. Case No.-176 Year-2018 Thana- DAGARUA District- Purnia

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1. BABU LAL SOREN @ BABU RAM SOREN Son of Jethu Suren
 2. Riyo Hansda Son of Baniya Hansda
Both Resident of Village-Dansar, P.S.-Dugaruwa, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-04-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Dagaruwa P.S.Case no.176 of 2018 , registered for offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution story as per FIR is that the dead body of the husband of the informant was found in the paddy field and he was seen earlier along with the petitioner and other accused persons and since then he was traceless.

Submission of the learned counsel for the petitioners is that he has falsely been implicated in this case on the basis of suspicion and there is no eye witness of the occurrence.

Heard learned A.P.P. and the learned counsel for the



informant .They have opposed the prayer for bail on the ground that the deceased was seen with the petitioner in the dance programme and there was some altercation between them and since then he was traceless and next day the dead boy was recovered.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on the basis of materials available on the record without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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