

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15225 of 2019

Arising Out of PS. Case No.-7 Year-2017 Thana- MOTIPUR District- Muzaffarpur

1. GUDDU NAT Son of Dhuna Nat Resident of Village - Porai, Mustichak, P.s.- Dariyapur, Distt.- Saran
2. Raj Kumari Devi D/o Dhuna Khalifa @ Dhuna Nat Resident of Village - Porai, P.s.- Dariyapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Rai

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Motipur P.S.Case No.07 of 2017 registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Prosecution case is that dead body of two persons were found in a field, nobody identified the dead body and during investigation, it appears that the truck was loaded with ‘*Daal*’ and the deceased persons were Driver and *Khalasi* of the Truck and later on during the investigation, one co-accused has been arrested and on his confessional statement, it transpires that the money was transferred by co-accused Mantu Prasad in the



account of the petitioner no.2 and other accounts and the name of the petitioner no.1 and others also transpired during the confessional statement showing that the whole family members are involved in that.

Submission of the learned counsel for the petitioners is that even the materials collected during the investigation show that the money was transferred in the account of the petitioner no.2 by one Mantu Prasad as such there is no direct involvement of the petitioners in this case and there is also vague allegation against the petitioner no.1.

Heard learned A.P.P. also.

Having heard both sides and in view of nature of allegation , I am not inclined to grant privilege of anticipatory bail to the petitioner no.1 Guddu Nat , however, the petitioner no.1 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 its own merit without being prejudiced by the order of this Court.

So far petitioner no.2 Raj Kumari Devi is concerned, being a lady, let the petitioner no.2 in the event of arrest or surrender before the court below within a period of six weeks



from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Motipur P.S.Case No.07 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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