

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78596 of 2018

Arising Out of PS. Case No.-114 Year-2016 Thana- GHORASAHAN District- East
Champaran

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1. Sikandar Prasad @ Sikandar Prasad Kushwaha son of Punit Prasad Kushwaha, Resident of Village- Hasanpur Balua P.S. Kundwa Chainpur, District East Champaran.
 2. Kameshwar Mahto son of Bhola Mahto, Resident of Village- Bhagatiya Tola Kadamawa, P.S. Ghorasahan, District- East Champaran.
 3. Aditya Kumar @ Aditya Kumar Sinha son of Late Baliram Prasad,
 4. Puja Devi wife of Vivek Kumar @ Hanuman Prasad, Both Residents of Village- Bagaha, P.S. Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sri Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 10-01-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Ghorasahan PS.Case nO.114 of 2016 G.R.Case No.312 of 2016 dated 23.4.2016 , registered for offences punishable under Sections 363, 364, 302, 201,1 20B of the Indian Penal Code.

Allegation as per FIR is that the son of the co-accused Vivek Kumar came at the motorcycle and took his nephew on motorcycle and thereafter he tried to make contact with him nephew but of no avail and he suspected that Vivek Kuamr has killed his nephew and later on the dead body has been recovered. The petitioners are not named in the FIR and later on



their name appeared in this case on confessional statement of the co-accused Vivek Kumar.

Submission of the learned counsel for the petitioners is that except confessional statement of the co-accused there is nothing against them and as his wife has illicit relation with the Deceased Rupesh Kumar, who is nephew of the informant.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahana at Dhaka, East Champaran in connection with Ghorasahan P.S.Case No.114 of 2016, G.R.Case No.312 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation..

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

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