

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28634 of 2019**

Arising Out of PS. Case No.-175 Year-2018 Thana- AMDABAD District- Katihar

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1. Manovar, age 28 years, Male, Son of Late Rahman,
 2. Sabbir, age 24 years, Male, Son of Late Rahman,
 3. Sajan, age 20 years, Male, Son of Late Rahman,
All Residents of Village - Nasi Tola, Bairia, P.S.- Amdabad, District- Katihar
- Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 17-07-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 302,120(B) of the Indian Penal Code.

Submission is that the allegation against the accused persons including the petitioners as stated in FIR is that on 03.10.2018 the son of informant namely Sk. Pappu went to see the fair, but he did not return home till night. Later on the dead body of son of informant was found in a ditch. The informant has suspected that all the accused persons including the petitioners with a conspiracy killed her son.

Learned counsel submitted that the petitioners are innocent and have committed no offence and they have falsely implicated in this case only on mere suspicion. It has been further



submitted that the petitioners are not named in FIR and also there is no specific allegation of murder against these petitioners, as the same is against co-accused Saddam, who is not the petitioner, in his statement he has not disclosed the name of these petitioners, there is no evidence regarding the involvement of the petitioners in the alleged occurrence. The learned court below has rejected the bail petition on the ground of circumstantial evidence against the petitioners.

Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory 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 the learned court below where the case is pending in connection with Amdabad P.S. Case No. 175 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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