

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68729 of 2018

Arising Out of PS. Case No.-354 Year-2016 Thana- CHANDI District- Nalanda

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1. Sanjay Kumar S/o Jay Kumar
 2. Subalik Kumar, S/o Jay Kumar
 3. Guddu Kumar, S/o Jay Kumar
 4. Vikash Kumar, S/o Jay Kumar All Resident of Village-Laxmi Bigha, P.S.- Chandi, District-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant. A supplementary affidavit has been filed on behalf of the petitioner which is kept on record.

Counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the application in the light of statement made in the supplementary affidavit.

The petitioners are apprehending their arrest in a case registered under Sections 302/34 of the Indian Penal Code.

The prosecution case, in short, is that while the uncle of the informant was sleeping in the cattle house, the accused persons came and started pressing his neck and on hulla, they fled away.

It has been submitted on behalf of the petitioners that there



is no allegation of tampering of witnesses alleged against the petitioners. There is a case and counter case between the parties. The petitioner has falsely been implicated in the present case. The allegations made in the F.I.R. is denied by the petitioners. The post-mortem report does not indicate any external or internal injury upon the body of the deceased. The viscera report also does not indicate whether the death has taken place due to poisoning. The cause of death could not be ascertained.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -I, Hilsa, Nalanda in connection with Chandi P.S. Case No. 354 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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