

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75407 of 2018

Arising Out of PS. Case No.-261 Year-2018 Thana- BRAHMPUR District- Buxar *

1. Nirmal Ram, Son of Jag Prasad Ram
2. Tantan Ram @ Nirbhay Kumar Ram, Son of Nirmal Ram, Both Resident of Village-Godhanpura, Police Station-Brahampur in the District of Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 14-03-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Brahampur P.S. Case no. 261 of 2018, registered under Sections 364/34, 302, 201 and 120(B)/34 of the Indian Penal Code.

The accusation is that dispute in between informant, Chandrakant Singh and his neighbour Gita Devi was going on, in that course, on 25.09.2017 glass of the tempo of father of the informant was broken and battery was also stolen. At that time, father of the informant, any how, saved his life. After one month, in the trough of cattle of the informant poison was put by petitioner no.1 Nirmal Ram, which was recorded in



C.C. TV camera. On 07.06.2018 Abhisekh Kumar Singh @ Pintu, brother of the informant, had gone to market, but he did not return till 9.00 P.M. then informant talked on mobile to his brother Abhisekh Kumar Singh @ Pintu, who replied that he is coming very soon, but he did not return, then informant raised suspicion against petitioner No.1, his wife Gita Devi and son, namely, Tantan Ram about kidnapping of his brother Abhisekh Kumar Singh @ Pintu as before four days, Gita Devi had given threatening that she will not permit his brother to perform marriage.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that informant has raised only suspicion against the petitioners having hand in the kidnapping of Abhisekh Kumar Singh @ Pintu, brother of the informant, whose dead body was found near railway track, Buxar on 09.06.2018 regarding which Raghunathpur U.D. Case No. 32 of 2018 was instituted later on mere on suspicion Gita Devi, wife of petitioner No.1 and mother of petitioner No.2 was apprehended and Police got recorded her confessional statement showing her hand in the murder of brother of informant due to love affairs with the brother of the informant, but in that confessional statement also Gita Devi has not



disclosed the name of the petitioners. Further submission is that petitioner No. 1 and petitioner No.2 were in service at Telangana during that period. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No. 261 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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