

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78059 of 2018

Arising Out of PS. Case No.-335 Year-2017 Thana- FATEHPUR District- Gaya

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1. Manoj Chaudhary and Anr S/o Late Govind Chaudhary,
 2. Anil Chaudhary S/o Prasadi Chaudhary, Both are Residents of Vill.- Chhotki Nagwan, P.S.- Fatehpur and District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2

For the Opposite Party/s : Mr.Sri Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-01-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Fatehpur P.S.Case no.335 of 2017 , registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation as per FIR is that the the wife of the deceased raised *hulla* that her husband has been killed by some one and thereafter the informant went to her house and found his brother dead in front of the house of Maksud Ansari and there is mark of rope on his neck. It further appears that during the investigation the informant has also been implicated as accused in this case.

Submission of the learned counsel for the petitioners is



that he has been made accused after one year on the basis of supervision note of the Dy.S.P. and thereafter the statement of the other witnesses have been examined to make out a case and the informant/petitioner has been made accused in this case.

Heard learned A.P.P. , who has opposed the prayer for bail on the basis of statement of the wife and daughter of the deceased that there was enmity from before and he had threatened the deceased to kill him.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will 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 ACJM, Gaya in connection with Fatehpur P.S.Case no.335 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure and with further condition to co-operate in the investigation and if after investigation, any serious incriminating material transpires against him, the prosecution is at liberty for cancellation of their bail bonds.

With the aforesaid direction, this application is



allowed.

(Vinod Kumar Sinha, J)

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