

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13700 of 2020

Arising Out of PS. Case No.-464 Year-2019 Thana- DANAPUR District- Patna

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1. JAGDISH RAY S/o Late Burfi Ray Resident of Village- Hardi Chapra Tola, P.S.- Maner, District- Patna.
 2. Mosaheb Kumar S/o Sri Jagdish Ray Resident of Village- Hardi Chapra Tola, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tripurari Nath Amastha

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-08-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section 364 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioners came to the house of the informant and threatened
him and his wife and said to give his house in their names.
While his wife was going to market from her house to purchase



some articles but she could not return back. The informant suspected that his wife has been kidnapped and murdered and her dead body has been disappeared.

It has been submitted on behalf of the petitioner that the petitioner No.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in the present case. The alleged occurrence is said to have taken place on 09.06.2019 and the case was instituted on 11.06.2019. Delay has not been explained by the prosecution.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of A.C.J.M.-I, Danapur in connection with Danapur P.S. case No.464 of 2019, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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