

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12219 of 2020**

Arising Out of PS. Case No.-135 Year-2019 Thana- RIGA District- Sitamarhi

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1. NARENDRA KUMAR Son of Laxmi Narayan Mahto R/o village-Ratanpur, P.S.-Suppi, District-Sitamarhi.
  2. Rupesh Kumar @ Rukesh Kumar @ Rakesh Kumar Son of Siyaram Mahto R/o Village-Kharsan, P.S.-Riga, District-Sitamarhi.

... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

3      07-09-2020      Heard learned counsel for the petitioners and learned  
APP for the State, through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail in connection with Riga P.S. Case No. 135 of 2019 registered under sections 302 and 34 of the Indian Penal Code.

It is stated by the informant in the FIR that they he was informed by his mother that the throat of his father has been slit and he has been murdered. It is stated that there was some dispute over sale of land and as a result of the same, the named accused persons including the two petitioners herein as a result of conspiracy had murdered their father. It is submitted by learned counsel for the petitioners that except for the suspicion raised by the informant in the FIR, there is no other material against them. It is submitted that the petitioners have no criminal antecedent and after investigation the case has not



been found to be true against the petitioners. It is further submitted that differing with the final report, on the basis of material available in the case diary, the learned Court below has taken cognizance against the petitioners in the matter.

The application for bail is opposed by the learned APP for the State.

Case diary called for in the case has been received. From perusal of the same it transpires that the case was not found to be true against these petitioners. Thus in the instant case, the Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Riga P.S. Case No. 135 of 2019, they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

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