

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15854 of 2020

Arising Out of PS. Case No.-106 Year-2019 Thana- MOKAMA RAIL P.S. District- Patna

1. RAJ KISHOR @ CHUNCHUN Son of Ramesh Jee Residence of Village-Pachmahla, P.S.-Maranchi, District-Patna.
2. Gopesh Kumar Son of Baban Singh Residence of Village-Pachmahla, P.S.-Maranchi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 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 Sections 302, 201/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons called the elder brother of the informant and thereafter he did not return and later his dead body was found.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. At best, it is a case of last seen. There is no eye witness to the alleged occurrence. Due to previous enmity, the petitioners have been made accused in the present case.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with Rail P.S. (Mokama) No. 106/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall 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)

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