

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39416 of 2020

Arising Out of PS. Case No.-183 Year-2020 Thana- OBRA District- Aurangabad

1. ANANT KUMAR S/o Basudeo Ram Resident of Village - Chapra, P.S. - Obra, District - Aurangabad.
2. MUNNA KUMAR S/o Basudeo Ram Resident of Village - Chapra, P.S. - Obra, District - Aurangabad.
3. LAV KUMAR S/O Basudeo Ram Resident of Village - Chapra, P.S. - Obra, District - Aurangabad.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Smt. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 24.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Obra P.S. Case no. 183 of 2020, registered under Section 302 and 201/34 of the Indian Penal Code.

The accusation is that on 21.07.2020, in the day, rumour spread about lying of dead body in the paddy field



situated in the Dusiyani Badhar, then informant along with other villagers reached there, where the informant found dead boy of his brother Ajit Kumar. The informant also found black marks and swelling on the neck of his brother Ajit Kumar. The informant stated that his brother Ajit Kumar was missing since late evening of 20.07.2020 and he was being searched by the informant and his other family members. It is alleged that before one and half month, there was dispute between Basudeo Ram and his brother Ajit Kumar regarding which his brother Ajit Kumar lodged case and, at that time, Basudeo Ram had given threatening for dire consequences. The informant claimed that Basudeo Ram and his three sons, namely, Anant Kumar, Munna Kumar and Lav Kumar (Petitioners) committed murder of his brother Ajit Kumar and threw his dead body.

Learned counsel for the petitioners submits that all the petitioners are sons of co-accused Basudeo Ram due to that reasons, they have falsely been implicated in this case mere on suspicion. Further submission is that it would appear from the F.I.R. that informant raised suspicion that there was previous dispute in between Basudeo Ram and Ajit Kumar, brother of informant. Further submission is that except suspicion, nothing has been collected by the I.O during the course of



investigation.

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 learned S.D.J.M. Daudnagar, Aurangabad in connection with Obra P.S. Case No. 183 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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