

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5247 of 2021

Arising Out of PS. Case No.-30 Year-2019 Thana- MOTIHARI RAIL P.S. District- West
Champaran

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1. RAJ KISHORE SINGH @ RAJ KISHOR SINGH Son of Sri Jaggi Lal Singh @ Jaggi Singh Resident of Village - Bairiya Dih, P.S. - Harsidhi, District - East Champaran, Motihari.
 2. Minku Singh @ Sardar Singh @ Mengu Singh Son of Sri Jaggi Lal Singh @ Jaggi Singh Resident of Village - Bairiya Dih, P.S. - Harsidhi, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 302, 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that while the brother of the informant was coming from sasural, the accused persons shot fire due to which brother of the informant died.



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. The petitioners have falsely been implicated in the present case. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner 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 aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Railway Judicial Magistrate, West Champaran, Bettiah in connection with Motihari Rail G.R.P. Case No. 30 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 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each



with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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