

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8284 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- FATEHPUR District- Gaya

1. KAILASH SINGH Son of Late Baso Singh Resident of Village - Fatehpur-Ramraichak Tola, P.S.- Fatehpur, Distt.- Gaya., Bihar
2. Kapil Singh Son of Late Baso Singh Resident of Village - Fatehpur-Ramraichak Tola, P.S.- Fatehpur, Distt.- Gaya., Bihar
3. Ravinder Singh Son of Kailash Singh Resident of Village - Fatehpur-Ramraichak Tola, P.S.- Fatehpur, Distt.- Gaya., Bihar
4. Satish Singh Son of Kailash Singh Resident of Village - Fatehpur-Ramraichak Tola, P.S.- Fatehpur, Distt.- Gaya., Bihar
5. Sanoj Singh @ Sanoj Kumar Son of Kailash Singh Resident of Village - Fatehpur- Ramraichak Tola, P.S.- Fatehpur, Distt.- Gaya., Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brijeshwar Narayan Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in connection with Fatehpur P.S. Case No. 100 of 2020 registered for the offence under Sections 328, 302, 201 and 120B of the Indian Penal Code.



Prosecution case in short is that in the backdrop of partition dispute, the husband of the informant was allegedly confined in a room. He was administered poison by the accused persons as a result of which, the informant's husband 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 been falsely implicated in the present case. From perusal of the order of Sessions Court, it appears that after investigation, the police submitted charge sheet for offence under Section 306 of the Indian Penal Code against the informant. The deceased is said to have committed suicide. No offence u/S 302 of the Indian Penal Code is made out.

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

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gaya in connection with



Fatehpur P.S. Case No. 100 of 2020 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) 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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