

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7318 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- DIDARGANJ District- Patna

1. SOSHIL SINGH S/o Chambhit Singh Resident of Village- Raybag, P.S.- Didarganj, District- Patna.
2. Jitendra Kumar S/o Sri Sushil Singh Resident of Village- Raybag, P.S.- Didarganj, District- Patna.
3. Dhananjay Kumar S/o Sri Shushil Singh Resident of Village- Raybag, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Gautam Kumar Yadav
For the Opposite Party/s :	Mr.Shailendra Kumar
	Mr. Rudra Deo

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-11-2022 Petition for pre-arrest bail of petitioner No.1 has already been dismissed as withdrawn vide order dated 02.08.2022.

Heard learned counsel for the parties.

Petitioners No.2 & 3 apprehend their arrest in a case registered for the offence punishable under Section 364, 201/ 34 of the Indian Penal Code.

As per the prosecution case, these petitioners along with other FIR named accused persons killed the brother of informant after kidnapping him and disposed of his dead body.

Learned counsel appearing for the petitioners submits



that petitioners are innocent and have falsely been implicated in the case. It is submitted that since petitioners happen to be relative of Pinky Kumari with whom it alleged that deceased was in constant touch through mobile, they have been made accused in this case. It is next submitted that although some of the co-accused named these petitioners in their confessional statement but the same has got no evidentiary value in the eye of law.

Learned counsel appearing for the State and the informant vehemently opposed the prayer for anticipatory bail.

Considering the facts of the case and nature of accusation against the petitioners, let the petitioners No. 2 & 3, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Patna City, Patna in connection with Didarganj PS case No. 97/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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