

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26796 of 2021

Arising Out of PS. Case No.-228 Year-2004 Thana- BIHTA District- Patna

1. Nepali Pandey S/O Shambhu Pandey R/O Village-Bindaoul, P.S- Bihta District- Patna
2. Arvind Singh S/O Late Pravesh Singh @ Late Ram Pravesh Singh R/O Village-Bindaoul, P.S- Bihta District- Patna
3. Sanjay Singh @ Sanjay Kumar Singh S/O Late Amresh Singh R/O Village-Bindaoul, P.S- Bihta District- Patna

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 302 and 201 of the Indian Penal Code.

The prosecution allegation, in short, is that the father of the informant went missing and later his dead body was found near river.

It has been submitted on behalf of the petitioners that the petitioner no. 1 has 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. The names of the petitioners have transpired merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in this case. The police after investigation submitted final form against the petitioners. The Court below has differed with the final report and taken cognizance in this case. Hence, the present application has been filed.

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

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M.-II, Danapur in connection with Bihta P.S. Case No. 228 of 2004, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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