

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30138 of 2021**

Arising Out of PS. Case No.-215 Year-2019 Thana- ADAPUR District- East Champaran

1. DHARMENDRA KUMAR @ DHARMENDRA PATEL S/o Lalan Patel R/o village- Nayak Tola, P.S.- Harpur, District- East Champaran
2. Sonu Kumar @ Sikandra Patel S/o Lalan Patel R/o village- Nayak Tola, P.S.- Harpur, District- East Champaran
3. Akash Patel S/o Pramod Patel R/o village- Haraiya, P.S.- Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Advocate  
For the Opposite Party/s : Mr.Uday Pratap Singh, 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 eight weeks.

The petitioners are apprehending their arrest in a case registered under Sections 302, 201, 34 of the Indian Penal Code.

Allegation is that on 27.08.2019 at 12:00 hours co-accused Radheshyam Sah took the daughter of the informant, namely, Ranjana Kumari and they went with co-accused Upendra Patel on motorcycle. The petitioners also went behind



them on another motorcycle, which was seen by his wife Mahsundar Devi. When the informant came, his wife told him about the incident. On 28.08.2019 at 4:00 p.m. the informant came to know that one dead body of a girl was lying near river and he went there and identified the dead body as his daughter Ranjana Kumari. The informant has suspicion that the accused persons including the petitioners killed the daughter of the informant.

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. The names of the petitioners have transpired in this case 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 had submitted final form and subsequently the court below has differed with the police report and taken cognizance in the matter. Hence the present application has been filed.

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

Considering the 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Adapur (Harpur) P.S. case No.215 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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