

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29156 of 2022

Arising Out of PS. Case No.-192 Year-2021 Thana- KOTWA District- East Champaran

1. VIKASH PASWAN Son of Shiv Paswan Resident of Village - Purani Dih, P.S.- Kotwa (Bhopatpur O.P.), District - East Champaran.
2. Budhan Mahto Son of Chandrika Mahto Resident of Village - Purani Dih, P.S.- Kotwa (Bhopatpur O.P.), District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Priyesh Kumar, Advocate

For the Opposite Party : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-11-2022 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 302, 201, 120(B)/34 of the Indian Penal Code.

As per the FIR, the informant's daughter was married with Satyendra Bhagat @ Sattan Bhagat according to Hindu rites and rituals. After marriage, she was blessed with four baby daughters. It is further alleged that on 14-07-2021, the informant received information that FIR named accused persons along with some unknown persons having conspired with each other killed his daughter, Priyanka Kumari and the the dead body of his daughter was disappeared.



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 made accused due to mistake of fact. Petitioners happen to be co-villagers of husband of the deceased. They have got no concern with the alleged occurrence. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioners in the present case.

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, 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Kotwa (Bhopatpur O.P.) P.S. Case No. 192 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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