

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52276 of 2021

Arising Out of PS. Case No.-32 Year-2011 Thana- BEUR District- Patna

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1. Binay Kumar Son of Balkishun Singh Resident of Mohalla- Harnichak, P.S.- Beur, District- Patna.
 2. Ravi Kumar Son of Balkishun Singh Resident of Mohalla- Harnichak, P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-05-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 302, 120(B), 34 of the Indian Penal Code.

It is a case of commission of murder of the



informant's son namely Santosh Kumar Bhakta in suspicious condition and a suspicion has been raised against the petitioners in the fardbeyan submitted by the mother of the deceased.

It is submitted by learned counsel for the petitioners that there is no direct evidence against the petitioners in the commission of murder of the son of the informant and only on the basis of suspicion, the petitioners have been roped in the present case. It is also submitted that in para 18 of the case diary, the informant, in her restatement before the Police during investigation has stated that she has not seen anyone in the commission of murder to her son. She also denied to have any inimical term with the petitioners. From perusal of the postmortem report and the F.S.L. report, it appears that the seized substance is highly poisonous as mentioned in para 55 of the case diary. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, III, Patna in connection with Beur P.S. Case No. 32 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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