

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3464 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- NAYAGAON District- Begusarai

1. ARCHANA DEVI @ ARCHANA KUMARI Wife of Sanjay Rai Resident of Village - Mathar, P.S. - Naya Gaon, District - Begusarai.
2. SUDHA DEVI Wife of Ramuday Roy @ Ramuday Rai Resident of Village - Mathar, P.S. - Naya Gaon, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-02-2022 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 connection with Nayagaon P.S. case No.32 of 2020 registered under Sections 302/34 and 120B of the Indian Penal Code.

Prosecution case, in short, is that the dead body of the brother of the informant was found by the side of the road. The informant has suspicion that the accused persons including the petitioners have killed his brother due to prior litigation.

It has been submitted on behalf of the petitioners that



there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. From perusal of the F.I.R., it appears that the names of the petitioners have transpired in this case merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioners in the alleged occurrence.

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 Sri Ravi Ranjan, learned Judicial Magistrate, 1st class, Begusarai in connection with Nayagaon P.S. case No.32 of 2020, 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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