

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53800 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- TANDWA District- Aurangabad

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1. Sandeep Bhuiyan Son Of Doman Bhuiyan Resident Of Village- Khasua Bela, P.S. Tandwa, District- Aurangabad
 2. Suresh Bhuiyan S/O Ramnandan Bhuiyan Resident Of Village- Khasua Bela, P.S. Tandwa, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-03-2022 Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners sand the State.

The petitioners pray for grant of anticipatory bail in Tandwa P.S. Case No. 34 of 2021 registered for the offence punishable under Sections 364/302/201/34 of the Indian Penal Code.

The deceased was having an affair with Sangeeta and the petitioners are own uncle and cousin brother of Sangeeta.

On 17.05.2021, the deceased got a call from Sangeeta



at 01:00 p.m. while he was with his friend Rahul Kumar and, thereafter, he went to see Sangeeta, but the deceased did not return and on 23.05.2021, the deadbody of the deceased was found by his family members. The postmortem report shows that the deceased was killed brutally. The petitioners are the own uncle and cousin brother of Sangeeta with whom the deceased have an affair and with whom he had gone to meet. During investigation, the prosecution story has been supported by the witness Rahul Kumar.

It has been submitted by learned counsel for the petitioners that there is no direct evidence against the petitioners of having been involved in the crime. They have a clean antecedent though are direct relatives of Sangeeta.

Learned Additional Public Prosecutor has opposed the prayer for bail and has submitted that it is a case of brutal murder and in such type of cases, there is no direct evidence available against the accused persons.

Though, there is no direct evidence available against the petitioners, but in such cases of grave suspicion when a man has been killed brutally and petitioners are own uncle and cousin brother of Sangeeta, in the opinion of this Court, this is not a fit case for grant of anticipatory bail. It is, accordingly,



dismissed.

(Sandeep Kumar, J)

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