

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53891 of 2021**

Arising Out of PS. Case No.-252 Year-2020 Thana- PAROO District- Muzaffarpur

1. AMARJEET KUMAR RAI @ AMARJEET RAI SON OF RAM SAHAY RAI R/O VILLAGE- CHAINPUR CHIUTAHAN, P.S.- PAROO, DIST.- MUZAFFARPUR
2. VINOD SAHNI SON OF SURENDRA SAHNI R/O VILLAGE- CHAINPUR CHIUTAHAN, P.S.- PAROO, DIST.- MUZAFFARPUR
3. CHANDRIKA SAHANI SON OF BAIDHNATH SAHNI R/O VILLAGE- CHAINPUR CHIUTAHAN, P.S.- PAROO, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)
Mr.Rajeev Ranjan No.2, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 21-06-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302/34 of the IPC.

Allegedly, the FIR named accused persons including the petitioners took the husband of the informant along with them but her husband did not return. Thereafter, in the morning, the dead body of her husband was found in the river. It is alleged



that the accused persons have killed her husband and threw the dead body in the river.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case only on suspicion. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the occurrence took place on 04.04.2020 and the postmortem of the deceased who is the husband of the informant was done on 05.05.2020. However, the written report which led to the initiation of the criminal case against the petitioners and others was lodged on 09.05.2020. Petitioners have no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 08.04.2021, passed in Cr. Misc. No.36963 of 2020.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused have been enlarged on bail, let the above named petitioners, be released on bail, in the event



of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Paroo P.S. Case No.252 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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