

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62848 of 2021

Arising Out of PS. Case No.-25 Year-2016 Thana- RAGHUNATHPUR District- Siwan

1. BINOD KUMAR CHAUHAN @ BINOD CHAUHAN Son of Late Surendra Prasad Chauhan Resident of Village - Gambhirar, P.S. - Raghunathpur, District - Siwan.
2. Sunil Singh Son of Late Raghunath Singh Resident of Village - Gambhirar, P.S. - Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Vivek
For the Opposite Party/s	:	Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2022 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

Learned counsel for the petitioners are 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 offence punishable under Sections 302/34 of the Indian Penal Code.

It is a case of commission of the murder of the brother of the informant deceased namely Sanjay Chaurasiya by cutting throat. It is submitted that there is no eye-witness of the



occurrence on the basis of suspicion. The name of the petitioners and others named by the informant that the petitioner along with other accused threatening for lifting the case. It is submitted that the case is based on circumstantial evidence. There is no direct evidence of commission of murder, falsely implicated on the basis of suspicion.

During investigation, not the petitioner not sent up by the police, but after that learned Magistrate took cognizance has been taken.

In the facts and circumstances 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 A.C.J.M.-4, Siwan in connection with Raghunathpur P.S. Case No. 25/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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