

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11770 of 2023

Arising Out of PS. Case No.-4 Year-2019 Thana- ADHAOURA District- Kaimur (Bhabua)

1. HEERA AGARIYA Son of Kuber Agariya Resident of Village- Bahabar, P.S.- Adhaura, District- Kaimur at Bhabua
2. MANOJ AGARIYA Son of Heera Agariya Resident of Village- Bahabar, P.S.- Adhaura, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 302/ 201/ 34 of the Indian Penal Code.

As per the prosecution case, about one and half months ago, in course of tending cows, father of informant became traceless and in course of search some clothes and shoes of the deceased were found in the forest. The informant suspects that petitioners along with co-accused, Nandu Agariya, assassinated his father and concealed his dead body.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that father of informant became



traceless about one and half months ago but after thought the informant has implicated the petitioners in this false case due to previous enmity. It is next submitted that on 08/03/2018 petitioner No.1 has lodged Adhaura PS case No. 18/2018 u/s 366A/ 379 of the IPC against the informant for kidnapping his grand daughter and in order to save his skin from that case the informant has lodged the present false and concocted case. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, delayed F.I.R. and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Kaimur at Bhabua in connection with Adhaura PS case No. 04/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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