

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14750 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- CHHATAUNI District- East Champaran

1. RAJ KARAN SINGH Son of Dwarika Singh R/v- Jhakhra, P.S.- Govindganj, District- East Champaran
2. DILIP SINGH Son of Dwarika Singh R/v- Jhakhra, P.S.- Govindganj, District- East Champaran
3. PRATOSH SINGH @ GOLU SINGH @ PRATOSH KUMAR SINGH Son of Dilip Singh R/v- Jhakhra, P.S.- Govindganj, District- East Champaran
4. NIKHIL SINGH Son of Dilip Singh R/v- Jhakhra, P.S.- Govindganj, District- East Champaran
5. VISHAL SINGH @ MILKHA SINGH Son of Raj Karan Singh R/v- Jhakhra, P.S.- Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The informant alleges that his brother was in love with the daughter of Shatrughan Singh namely, Saloni Kumari, it is further alleged that his brother along with Saloni eloped and went to Narkatiyaganj but the informant recovered the daughter



of Shatrughan Singh and handed over her to him but thereafter, Saloni Kumar telephonically informed the brother of the informant that her family members are planning to commit her murder. It is further alleged that brother of the informant sent an audio message on mobile of Nehal Kumar, son of Shatrughan Singh saying that if any mishaps takes place with Saloni, he will take action, thereafter, it is alleged that on 25.04.2022 in the night all the FIR named accused persons including the petitioners kidnapped the brother of the informant and committed his murder and threw the dead body on the railway line.

Learned counsel for the petitioners submits that petitioner nos. 1, 2 and 4 have antecedent of one case and petitioner nos. 3 and 5 are persons with clean antecedent. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the date of occurrence is 25.04.2022, thereafter the father of the deceased had instituted a U.D. Case on 26.04.2022, wherein he had stated that the deceased died on account of fall from the train, it is next submitted that thereafter the present FIR came to be instituted on 05.05.2022 i.e., after the delay of nearly ten days alleging that the accused persons including the petitioners killed the brother of the informant, it is also submitted that present FIR



has been instituted by way of after thought as the father of the deceased had instituted a U.D. Case as aforesaid. It is further submitted that petitioners will not evade the law rather will cooperate in the investigation and will present themselves as and when required by the investigating officer so that the truth comes out, it is next submitted that petitioners are related to Saloni distantly. It is further submitted that father of Saloni, Shatrughan Singh has been granted the privilege of anticipatory bail by order dated 22.12.2022 in Cr. Misc. No. 70317 of 2022.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioners that father of Saloni Kumar has been granted anticipatory bail.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chhatauni P.S. Case No. 252 of 2022 subject to the conditions



as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the investigating officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation or are not appearing when called, the learned Trial Court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall have liberty to cancel the bail bonds of the petitioners.

The learned Trial Court is directed to send the copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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