

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40449 of 2022

Arising Out of PS. Case No.-534 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. DEV RAJ @ DEVRAJ CHOUHAN Son of Late Ramadhar Chouhan R/o- Arar, Ward No.- 28, P.S. and Dist.- Gopalganj.
 2. Rahul Kumar @ Rahul Chouhan Son of Late Ramadhar Chouhan R/o- Arar, Ward No.- 28, P.S. and Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-01-2023 Heard learned counsel for the petitioners as well as
learned APP for the State.

Learned counsel for the petitioners is directed to remove
the defects within four weeks.

The petitioners apprehend their arrest in a case registered
for the offence punishable under Sections 363, 364, 34 of the
Indian Penal Code.

Allegedly, the petitioners in association with their family
members killed the sister of informant and concealed her dead
body.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. It is submitted that the husband of the deceased is already in judicial custody and both the petitioners are the brother-in-law of the deceased. The entire family has been made accused in the present case. Petitioner no.1 has no criminal antecedent and petitioner no.2 has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail but fairly submitted that in para 25 of the case diary it is stated that after filing the present case the victim fled away with some another person.

Having regard to the facts and circumstances of the case, 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 Gopalganj Town P.S. Case No.534 of 2021,



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

(Anjani Kumar Sharan, J)

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