

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50461 of 2023

Arising Out of PS. Case No.-433 Year-2022 Thana- BELHAR District- Banka

1. VIJAY PAL Son of Mahadev Pal Resident of Village-Gidha, P.S.-Belhar, District-Banka
2. KRANTI DEVI Wife of Mahesh Pal Resident of Village-Charaiya, P.S.-Belhar, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 364 and 302 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 03.06.2022, due to previous dispute, these petitioners and others kidnapped the son of the informant, namely, Rajeev Pal and thereafter committed his murder and threw the dead body in Belharna Dam.

4. It is submitted that informant is not an eye witness of the occurrence. Dead body of the deceased was found by the



police on 06.06.2022 and thereafter complaint petition against the petitioners and others was filed after delay of 10 days of the recovery of dead body. These petitioners have been made accused only on suspicion as, in the past, they have threatened the informant and his son due to previous dispute over fetching water from tubewell and except this there is no other material to show the connivance of these petitioners in this case. Petitioners have got clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Belhar P. S. Case No. 433 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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