

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63220 of 2023

Arising Out of PS. Case No.-195 Year-2022 Thana- MAJORGANJ District- Sitamarhi

1. JIVACHH RAUT Son of Dularchandra R/o vill - Dumari Kala, P.S. - Mejorganj, Distt. - Sitamarhi
2. Vinay Raut Son of Bindeshwar Raut R/o vill - Dumari Kala, P.S. - Mejorganj, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Madhubala Verma, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Majorganj P.S. Case No.195 of 2022, F.I.R. dated 15.07.2022 registered for the offence punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including petitioners killed Ruchi Kumari by pressing her neck and disappeared the dead body.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and from perusal of the FIR, it appears that the informant is not the eyewitness of the occurrence and merely on the basis of the information, the informant lodged the FIR and never disclosed where from he received the information about the present occurrence. Further submits that the petitioners have no concern either with the co- accused Jiwachh Raut or his other family members. He further submits due to village politics the petitioners have been implicated in the present case and no other cogent material has come during investigation to suggest the involvement of these petitioners in the present occurrence except the suspicion.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioners but fairly submits that no material has come during investigation to suggest the involvement of these petitioners in the present occurrence.

6. 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 learned Additional Chief Judicial Magistrate, Ist, Sitamarhi in connection with Mejorganj P.S. Case No.195 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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