

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51265 of 2024

Arising Out of PS. Case No.-4 Year-2012 Thana- FESHAR District- Aurangabad

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1. Uma Devi Son Of Late Ramesh Singh Resident Of Village - Mahsi, P.S. - Phesar, District - Aurangabad
 2. Chandrashekhar Yadav Son Of Tej Narayan Singh Resident Of Village - Dihara Lakh, P.S. - Obra, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioners and Mr. Pramod Kumar Pandey, learned A.P.P. for the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, some unknown persons had committed murder of the brother of informant and threw his dead body in canal. During course of investigation, in re-statement, informant has named these petitioners.

4. Learned counsel for the petitioners submits that informant is own brother-in-law (dewar) of petitioner No. 1 and petitioner No. 2 is relative of the petitioner No. 1. It is further submitted that in order to grab the property of deceased,



petitioners have falsely been implicated in this case. From perusal of the F.I.R., it is apparent that informant is not an eye witness of the occurrence and after investigation police submitted final form against these petitioners, however, differing with the same, learned court below took cognizance. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case and the fact that final form was submitted against these petitioners, 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 Judicial Magistrate, 1st Class, Aurangabad in connection with Fesar P. S. Case No. 04 of 2012, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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