

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73733 of 2024

Arising Out of PS. Case No.-520 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

1. Dharmendra Sao Son of Subacharan Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
2. Praveen Sao Son of Deoraj Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
3. Binita Devi @ Vineeta Devi Wife of Praveen Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
4. Shratima Devi Wife of Dharmendra Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
5. Pankaj Sao Son of Sohrai Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
6. Kalawati Devi Wife of Pankaj Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
7. Niraj Sao Son of Phekan Sao @ Fekan Saw R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
8. Niranjan Sao Son of Phekhan Sao @ Fekan Saw R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)
9. Deepak Sao Son of Rajdeo Sao R/O-Village- Mohari Itwa, PS -Tandwa, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-01-2025 Heard Ld. counsel for the petitioners and Ld. APP for
the State.

2. The present petition has been filed on behalf of the
petitioners, apprehending their arrest, in connection with
Aurangabad Town P.S. Case No. 520 of 2024 dated 19.07.2024



registered for the offences punishable under Sections 365, 302, 201, 120B, 379 read with Section 34 of the Indian Penal Code.

3. As per the allegation, the deceased-husband of the informant was coming to Aurangabad from Gujarat along with the accused persons in a train. He was carrying Rs. 2 lac in his possession. However, the deceased could not reach his residence. Hence, the informant/wife has expressed suspicion that the accused persons who were traveling along with the deceased-husband have conspired and killed him for the said money which he was carrying.

4. Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the complaint has been filed on 27.06.2022, i.e. after two months from the date of occurrence. He further submits that all the accused persons had reached Anugrah Narayan Road Railway Station, and thereafter, they went to their village. He further submits that the whole case is based only on suspicion and there is no connecting material against them.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.



6. It has further been stated in paragraph no.3 of the petition that the petitioners no. 1 to 7 and 9 have clean antecedent, whereas petitioner no. 8 has been made accused in one other case in which he is on bail.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances and finding as per the case diary that the police has found no clue till date regarding the death of the deceased, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. C.J.M., Aurangabad, Bihar in connection with Town PS. Case No. 520 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have



concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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