

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89894 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

1. Tufan Nut S/o Sadhu Nut R/o Vill - Paleya Bigha, P.S - Makhdumpur, Dist - Jehanabad
2. Sudhir Nut S/o Ramkhelavat Nut @ Ramkhelavan Nut R/o Vill - Paleya Bigha, P.S - Makhdumpur, Dist - Jehanabad
3. Arun Nut S/o Ambika Nut R/o Vill - Paleya Bigha, P.S - Makhdumpur, Dist - Jehanabad
4. Diwan Nut S/o Sadhu Nut R/o Vill - Paleya Bigha, P.S - Makhdumpur, Dist - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar
For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Makhdumpur (Tehta) P.S. Case No. 345 of 2024 dated 11.07.2024 registered under Sections 61(2), 103(3), 3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case as per the first information report is that on 09.07.2024 the brother of the informant went with the petitioners and others at about 8 P.M. for the purpose of attending “shraddh” ceremony but they killed the informant’s brother.



4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to previous litigation between the cousin brother of the informant and the petitioners, who has lodged Makhdumpur P.S. Case No. 234 of 2019 against the petitioners. Referring to the post mortem report (Annexure-2) he submits that the cause of death as mentioned by the doctor is due to trauma and road traffic accident. The dead body of the deceased was found near the divider of NH-22. Similarly situated co-accused / Vigan Nut @ Bigan Nat has been granted anticipatory bail by this court in Cr. Misc. No. 74174 of 2024.

5. Regard being had to the submission made by the parties, taking into consideration the fact that the doctor has given the cause of death as road traffic accident and similarly situated co-accused has been granted anticipatory bail by this Court, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st Class, Jehanabad in connection with Makhdumpur



(Tehta) P.S. Case No. 345 of 2024 subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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