

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34161 of 2013

- =====
1. Chandan Kumar Singh @ Chandan Singh S/O Late Brahmdeo Singh
Resident Of Village- Karharia, P.S.- Banka, District- Banka
 2. Raj Kumar Singh @ Raja Singh S/O Late Brahmdeo Singh Resident Of
Village- Karharia, P.S.- Banka, District- Banka
- =====

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER


3 24-12-2013

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners pray for anticipatory bail in a case
under Section 302/201 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
FIR was lodged by the Choukidar against unknown on the
discovery of a decomposed dead body thrown in the bush of the
village. Subsequently, after four-five days the father of the
deceased identified the same on the basis of the photographs of
the dead body and the clothes. It is submitted that on mere
suspicion these petitioners have been named raising a plea of
money having been drawn from the ATM of someone's account
to the extent of Rs. 20,000/- and for the distribution of the same,
the murder has been committed.



Learned counsel for the petitioners further submits that petitioners are innocent who have no criminal history and they have falsely been implicated in this case for the simple reason that the deceased was their friend. It is submitted that nothing has come during the course of investigation to implicate the petitioners and there is not an iota of even circumstantial evidence in support of their implication.

Learned Additional Public Prosecutor submits that after investigation the police has submitted charge sheet in the case.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners, (1) Chandan Kumar Singh @ Chandan Singh and (2) Raj Kumar Singh @ Raja Singh in the event of their arrest/surrender in the court below within four weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Katoria P.S. Case No. 87/2010 to the satisfaction of the Chief Judicial Magistrate, Banka, subject to the other conditions laid down under Section 438(2) Cr.P.C.

S.Pandey/-

(Ramesh Kumar Datta, J)