

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9750 of 2015

Arising Out of PS.Case No. -778 Year- 2014 Thana -SAHARSA District- SAHARSA

- =====
1. Bechan Sharma @ Bechan Kumar Sharma Son of Late Khusi Lal Sharma
 2. Chandan Sharma @ Chandan Kumar Son of Late Khusi Lal Sharma
 3. Rijal Sharma @ Ajay Sharma Son of Late Banarsi Sharma
- All R/o Mohalla Batraha, Ward No. 26, P.S. Sadar, District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.12040 of 2015

Arising Out of PS.Case No. -778 Year- 2014 Thana -SAHARSA District- SAHARSA

- =====
1. Mukesh Sharma @ Mukesh Kumar Son of Fana Sharma@ Fanilal Sharma resident of Mohalla: Batraha, ward No. 26, P.s. & District: Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.9750 of 2015)

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Anil Pd. Singh(App)

(In Cr.Misc. No.12040 of 2015)

For the Petitioner/s : Mr. Sameer Ranjan, Advocate

For the Opposite Party/s : Mr. Shardanand Jha(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-06-2015 Heard learned counsel for the petitioners and
learned A.P.P.

The petitioners in both the applications
apprehend their arrest in connection with Saharsa Sadar
P.S. Case No. 778 of 2014, registered for the offence under

Section 302/34 of the Indian Penal Code, which is pending in the court of learned Chief Judicial Magistrate, Saharsa.

The prosecution case is that on 22.10.2014 at 5.00 P.M. as stated by the informant that her husband Satto Sharma came home after selling Singhara. The informant asked her husband to purchase and bring flour wherein he went from his house to Rajo Bhagat Lane. The informant followed her husband, but saw that her husband had gone to a nearby lane. She thought, he may have gone for his natural call and waited. After sometime finding that her husband has not come, she went to the lane where her husband had gone and found that the accused persons were dragging her husband Satto Sharma. When she reached near her husband she found that he was badly injured and his throat had been cut by a sharp weapon and blood was coming out. With the help of some well wishers she loaded her husband on a cart and brought him to the Sadar Hospital, Saharsa where he was declared dead. The informant has further stated that earlier also the accused persons have threatened to kill her husband. The petitioners are named accused in the First Information Report. At paras-11, 12, 13, 14 and 15 of the case diary the witnesses Rajendra Bhagat, Dinanath Yadav, Munni Devi, Sobha Devi, Lakhiya Devi have also

supported the case of the prosecution. Furthermore, the informant is an eye witness to the alleged occurrence.

Under such circumstances, I am not inclined to grant the petitioners privilege of anticipatory bail.

Accordingly, these two applications are hereby rejected.

(Nilu Agrawal, J)

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