

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13319 of 2015

Arising Out of PS.Case No. -277 Year- 2014 Thana -JOKIHAT District- ARRARIA

1. Md. Babul, Son of Sajjad @ Gaida
2. Md. Jabul, Son of Sajjad @ Gaida
Both resident of village- Siswa, Police Station - Jokihat, Police Station-
Jokihat, District -Araria. Petitioner/s
Versus
The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Md. Naushad Uzzoha, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Jokihat P.S. Case No. 277 of 2014 registered under Section
302 and 201 of the Indian Penal Code.

It is contended that the petitioner is not named in the
FIR. The case is based on circumstantial evidence. The deceased
is brother-in-law of the petitioners and there is no cogent
material to connect the petitioners with the alleged offence.

On the other hand, learned counsel for the State has
opposed the prayer for pre-arrest bail of the petitioners. He has

submitted that in course of investigation it has transpired that the petitioners had played an active role in commission of murder of his brother-in-law. He has further contended that some other co-accused who were arrested by the police in course of investigation have also confessed about the active role of the petitioners in the alleged occurrence.

Regard being had to the serious nature of crime and the materials collected during investigation, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, their prayer for bail is rejected.

(Ashwani Kumar Singh, J.)

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