

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23278 of 2015

Arising Out of PS.Case No. -43 Year- 2007 Thana -BARHARIA District- SIWAN

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1. Abdul Rasid S/o Late Mohammad Nazir
2. Raj Mohammad S/o Late Mohammad Islam
Both are residents of Village - Paterha, P.S. - Maharajganj, District - Siwan.
.... Petitioner/s

Versus

The State of Bihar.
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Ashok Kumar(App)
For the Informant : Mr. A.K.Shrivastava, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 364/34 of the Indian Penal Code and that the role of the petitioner in the alleged offence had surfaced even in para-7 of the case diary, this Court will not be impressed with the rest of the submission that the police had submitted a final form or that the petitioner had no apprehension of arrest till the submission of final form in the year 2014 and such apprehension became manifest only when court below, differing with the final form, had taken cognizance.

That being so, this Court is not inclined to grant privilege of anticipatory bail to the petitioners specially when the victim is still said to be traceless as has been asserted by the

learned counsel for the informant.

The petitioners, therefore, must surrender whereafter their prayer for regular bail shall be considered on its own merits.

(Mihir Kumar Jha, J)

Sujit/-

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