

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7944 of 2015

Arising out of PS.Case No. -50 Year- 2012 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Raju Sah, son of Ramchandra Sah, resident of village- Gokhula,, P.S- Chiraya, District- East Champaran, Motihari.
 2. Mukesh Sah, Son of late Jawahir lal Sah, resident of village- Rajpur, Kudiya, P.S. - Gour, District- Rauthat (Nepal).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 21-05-2015 The petitioners are apprehending their arrest in connection with Chiraya P.S. Case No. 50 of 2012 for the offences instituted under Sections 364, 302 and 201/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the son of the informant aged four years was living with his Nana Birendra Sah and on 24.02.2012 his son became traceless of which information was given in the police station concerned. On 07.03.2012 he received information that under Ghorasahan P.S. dead body of a boy is lying. On this information he reached Ghorasahan P.S. and identified the dead body as the dead body of his son. It is further alleged that co-accused Ramchandra Sah and Tetari Devi

threatened the informant to kill his son. The informant claimed that the accused Ram Cahndra Sah, Tetari Devi, Raj Palat Sah, Raju Sah and Mukesh Sah abducted his son from his Sasural and committed his murder and concealed his dead body in the Syphan.

It has been submitted on behalf of the petitioners that the petitioners are named in the F.I.R. Further it has been submitted that other accused persons, in course of trial, have been acquitted by the learned trial court.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners in connection with Chiraiya P.S. Case No. 50 of 2012, pending in the court of the learned S.D.J.M., Sikrahana, East Champaran at Motihari. Anyhow, if the petitioners surrender in the court below within a period of six weeks from today and prays for regular bail, the court below shall consider prayer for regular bail of the petitioners on its own merit without being prejudiced by this order.

U.K./-

(Sudhir Singh, J)

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