

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3419 of 2015

Arising Out of PS.Case No. -160 Year- 2012 Thana -RAJAUN District- BANKA

- =====
1. Kanwar Yadav son of Tarni Yadav
 2. Bhawsa Alias Bhawesh Yadav son of late Bharat Yadav Both R/o vill. Bishanpur, Jichcho, P.S. Lodipur, Dist. Bhagalpur.
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Indeshwari Prasad Mandal

For the Opposite Party : Mr.M .Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

4 27-05-2015 Heard both sides.

The petitioners are apprehending their arrest in connection with Banka Rajoun P.S. case no. 160 of 2012 registered under Sections 302 and 201/34 of the IPC.

The dead body of a young man was found deserted which prompted the chowkidar to lodge the FIR.

The FIR obviously registered against unknown. The counsel for the petitioners submitted that there is no legal evidence/material save and except the confessional statement of one co- accused Jugal Yadav to connect the petitioners with the crime. It is also submitted that other accused, similarly situated, namely, Public Yadav has been released on regular bail. They are, therefore, entitled to be privileged with anticipatory bail.

Learned APP for the State, on the other hand, points

out that in course of investigation materials have been collected which do indicate the complicity of the petitioners in the offence. The petitioner no.1 has criminal antecedent.

In my view, considering the nature of allegations and the attending facts evidencing from the record including the impugned order, the petitioners do not deserve the privilege of anticipatory bail. Prayer is rejected.

Let the petitioners surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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