

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34895 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -UPHARA District- AURANGABAD

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1. Sabindra Sharma @ Netla Son of Late Surith Sharma
2. Niraj Kumar Son of Sri Sabindra Sharma @ Netla
3. Pankaj Kumar Son of Sri Sabindra Sharma @ Netla All petitioner no.1 to
3 are Resident of Village-Mohdipur Police Station-Uphara District-
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-03-2015

Heard both sides.

The petitioners apprehend their arrest in Uphara
P.S. Case No. 10 of 2014 registered under section 302 and other
allied sections of the Indian Penal Code.

Pankaj Choudhary the informant named the
petitioners and alleged that they indiscriminately fired in which
the father of the informant died.

Learned counsel for the petitioners submits that
immediately after lodging the case the informant filed a petition
before the Judicial Magistrate Ist Class, Daudnagar, Aurangabad
that the petitioners are not the assailant and without knowing the

true fact the informant lodged the case.

On perusal of the record it appears that there is very specific allegation that the petitioner made indiscriminate firing causing the death of the father of the informant. The occurrence took place on 19.03.2014 but the informant filed the petition before the Judicial Magistrate Ist Class on 19.05.2014 after two months of the occurrence. It appears that the petitioners made an attempt to temper with the evidence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly the same is rejected.

(Prabhat Kumar Jha, J)

M.Rahman/-

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