

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26475 of 2015

Arising Out of PS.Case No. -297 Year- 2014 Thana -JAHANABAD District- JEHANABAD

1. Hemant Saran @ Kundan Sharma @ Kundan Son of Ram Sanehi Saran
resident of village- + P.O. + P.S.- Ghoshi, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.33061 of 2015

Arising Out of PS.Case No. -297 Year- 2014 Thana -JAHANABAD District- JEHANABAD

1. Chandani Kumari wife of Rahul kumar resident of Village- Lakhapur,
P.s Bigha, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.26475 of 2015)

For the Petitioner/s : Mr. Sanjeev Ranjan

For the Opposite Party/s : Mr. Anil Kumar(App)

(In Cr.Misc. No.33061 of 2015)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Atul Chandra (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in
Jehanabad P.S.case no.297 of 2014 instituted under Sections
364/34 of the Indian Penal Code, pending in the court of learned
C.J.M., Jehanabad.

The prosecution story, in brief, is that the informant's
son Chunnu Sharma @ Om Prakash Sharma was working as



Property Dealer at Patna and on that day, he along with a relative of his house holder with cash of Rs. 5 lacs had come to co-accused Sangeeta Devi at Jehanabad in the matter of land and thereafter, it is alleged that on 15.07.2014 at about 5.04 P.M. a message had been received on mobile no. 8083267807 of Hemant Sharan @ Kundan from mobile no. 9473296134 of the deceased Chunnu Shama with respect of his killing and the said message had been seen by Hemant Sharan at about 8.00 P.M. on the same day and when it was tried to phone on the mobile of the deceased, it was found switched off and the relative of the deceased has been informed. It is further alleged that on 16.07.2014 at about 4 P.M. the informant has shown the aforesaid message before S.H.O, Jehanabad who along with police official had visited the house of the co-accused Snageeta Devi from where co-accused Munna Kumar succeeded to flee away after scaling over the top of the roof of the house of said Sangeeta Devi.

It has been submitted on behalf of the petitioners that the petitioners have been falsely implicated in the present case. In fact, the petitioners, who gave information to the father of the deceased regarding the incident but unfortunately they have been made accused in the present case. There is no direct or indirect evidence except for suspicion against the petitioners.

On behalf of the State, it has been submitted that

the present case is a double murder case and regular bail of one of co-accused has been rejected by this Hon’ble Court.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioners and the same is rejected.

Any how, if the petitioners surrender in the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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