

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48151 of 2014

Arising Out of PS.Case No. -87 Year- 2013 Thana -GHOGHARDIHA District- MADHUBANI

1. Jagar Nath Mukhiya @ Jagannath Mukhiya Son of Late Uttim Lal Mukhiya resident of Maibi Tola, P.S.- Lakhnour, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.48240 of 2014

Arising Out of PS.Case No. -87 Year- 2013 Thana -GHOGHARDIHA District- MADHUBANI

1. Hari Nath Mukhiya S/o Late Uttim lal Mukhiya Resident of Maibi Tola, P.S. Lakhnour, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.48151 of 2014)

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Uma Nath Mishra (App)

(In Cr.Misc. No.48240 of 2014)

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Umanath Mishra(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor appearing on behalf of the State.

Petitioners seek anticipatory bail in a case registered for

the offences punishable under Sections 302 and 201/34 of the

Indian Penal Code.

Learned counsel for the petitioners submits that petitioner of Cr. Misc. No. 48151 of 2014 is a Panchayat Secretary and the petitioner of Cr. Misc. No. 48151 of 2014 is his brother and they were not named in the First Information Report. He submits that their names cropped up on the basis of confessional statement of a co-accused who have been granted regular bail.

However, since the petitioners are accused in a case registered for the offences punishable under Section 302 of the Indian Penal Code, I am no inclined to grant him the privilege of anticipatory bail as their custodial interrogation by the police may be required.

In the facts and circumstances of these cases, their applications for anticipatory bail are rejected.

The petitioners are directed to surrender before the Court of learned ACJM, Jhanjharpur, Madhubani within four weeks from today. If they seek regular bail thereafter, their applications for regular bail shall be considered on its own merit without being prejudiced by the rejection of the present anticipatory bail applications.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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