

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45832 of 2015

Arising Out of PS.Case No. -240 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

1. Laldeo Sharma Son of Late Bhola Sharma
2. Suraj Sharma Son of Laldeo Sharma
Both residents of village - Simri Bakhtiyarpur, P.S. Bakhtiyarpur, District -
Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-10-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections- 364/34 of the Indian Penal Code and that victim Dinesh Yadav, is still said to be missing, this Court is not inclined to grant the privilege of anticipatory bail to either of the petitioners, who are said to be the persons who had allegedly taken away Dinesh Yadav. The submission that petitioner no. 2, Suraj Sharma, has filed some information before Ludhiana police, will in no way improve their cases for the purpose of grant of anticipatory bail keeping

in view that the victim Dinesh Yadav, has not yet been recovered as yet.

That being so, the prayer for anticipatory bail of the petitioner no.1, Laldeo Sharma and petitioner no. 2, Suraj Sharma, is hereby rejected.

Nonetheless, the petitioners will definitely have a right to seek regular bail, therefore, if the petitioners would surrender before the Court below and make a prayer for regular bail, their cases would be decided on its own merit without being prejudiced by anything said in this order.

(Mihir Kumar Jha, J)

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