

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42056 of 2014

Arising Out of PS.Case No. -448 Year- 2011 Thana -AHİYAPUR District- MUZAFFARPUR

- =====
1. Sunil Ram @ Surendra Ram son of Yugeshwar Ram resident of village Chandwara Harpur P.S. Muzaffarpur Town District Muzaffarpur.
 2. Ravi Choudhary son of Goneb Choudhary resident of Madhopur Abdalnagar p.s. Muzaffarpur Town District Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Smt. Anuradha Singh

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 21-04-2015 Heard learned counsel for the petitioners. Nobody has appeared on behalf of the State.

Two petitioners herein have sought anticipatory bail in Ahiyapur P.S. case no. 448 of 2011 registered under Sections 395, 397 of the Indian Penal Code.

In the night on 3.12.2011, 10-12 unknown accused persons committed dacoity in the house of the informant and in course whereof the wife of the informant was injured by knife. Subsequently she died at S.K.M.C.H, Muzaffarpur in course of treatment.

Learned counsel for the petitioners submits that few days after the occurrence one Sibu Sahni was arrested who made

a confessional statement in which the name of the petitioner has transpired. Save and except the aforesaid there is no incriminating material against them. Petitioners have no criminal antecedent.

On perusal of the impugned order, it appears that apart from the confessional statement of Sibuh Sahni recorded in paragraph no.93, another witness has stated about presence of the petitioners in the vicinity of the place of occurrence.

Considering the seriousness of the allegations and facts reflecting from the impugned order, in my view, petitioners do not deserve the privilege of anticipatory bail. Prayer is rejected.

Let the petitioners surrender and seek 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 by the present order.

(Kishore Kumar Mandal, J)

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