

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34520 of 2014

Arising Out of PS.Case No. -709 Year- 2012 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Neeraj Kumar
2. Manoj Kumar @ Munna Singh Both S/o Shyam Nandan Singh Resident
of Village Berar, P.S. Rani Talab, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Mr. Indra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 28-04-2015 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with

Muzaffarpur Town P.S. Case No. 709 of 2012 which was

registered under Section-394 of the Indian Penal Code.

In course of investigation, one Ajay Yadav was

arrested and confessed his guilt disclosing the involvement of the

petitioners.

The contention on behalf of the petitioners is that the

above-said co-accused Ajay Yadav was driver of tractor of brother

of petitioners and as a matter of fact, the aforesaid Ajay Yadav

was removed by brother of the petitioners and that is the reason,

the aforesaid co-accused, Ajay Yadav implicated these petitioners in this crime. It is also contended by him that the confessional statement was recorded on 07-01-2013 at 2.30 a.m. and surprisingly enough, on the same day at about 3.45 a.m. the raid was conducted and Rani Talab P.S. Case No. 03 of 2013 was registered against brother of petitioners.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, particularly, taking note of this fact that the investigation of the case against petitioners is pending, I do not feel it proper to extend the privilege of anticipatory bail to the petitioners and, accordingly, their prayer for anticipatory bail in connection with Muzaffarpur Town P.S. Case No. 709 of 2012 stands rejected.

However, if petitioners surrender and seek regular bail before the court below within four weeks from the date of receipt/production of copy of this order, the concerned court shall consider the regular bail application of the petitioners on its own merit, without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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