

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40150 of 2015

Arising Out of PS.Case No. -778 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Mukesh Sharma @ Mukesh Kumar, son of Fana Sharma @ Fanilal Sharma
2. Rijal Sharma @ Ajay Sharma, son of Late Banarsi Sharma
Both are residents of village- Batraha, Ward No. 26, P.S.+ District- Saharsa

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.46519 of 2015

Arising Out of PS.Case No. -778 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Bechan Sharma
2. Chandan Sharma Both are sons of late Khushi Lal Sharma, resident of Bhartiya Nagar ward No. 26, Saharsa, P.S.- Saharsa, District Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.40150 of 2015)

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Md.Nazir Ansari, A.P.P.

(In Cr.Misc. No.46519 of 2015)

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 14-12-2015 Both the above stated petitions arise out of Sadar P.S. Case No. 778 of 2014 registered under Sections 302/34 of the Indian Penal Code and, accordingly, the above stated petitions are being disposed of by this common order.

Heard the parties.

The informant claims that she had seen the petitioners fleeing from place of the occurrence and when she reached near the place of occurrence, she found her husband lying in pool of blood.

It is pointed out on behalf of the prosecution that having similar allegation, the prayer of bail of co-accused namely, Fana Sharma @ Fanilal Sharma has already been rejected by a co-ordinate Bench of this Court.

Considering the aforesaid submissions as well as facts and circumstances of the case, I do not think it proper to release the petitioners on bail, at least, at this stage, and accordingly, their prayer for bail stands rejected.

(Hemant Kumar Srivastava, J)

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