

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32709 of 2014

Arising Out of PS.Case No. -47 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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1. Dilip Thakur
2. Din Bandhu Paramanik
3. Anil Paramanik All sons of Late Khitish Thakur @ Late Khitish Chandra Thakur Resident of village - Sohar, P.S. Balrampur, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 27-03-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners are sons of deceased and it is specific case of the prosecution that they took away their mother and when the informant reached at her parental home having got information of death of her mother. Petitioners came along with dead body of the deceased and the post mortem report of the deceased reveals that cause of death was asphyxia due to strangulation.

Regard being had to the above stated facts and circumstances as well as submissions of the parties, I do not think it proper to grant privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection

with Balrampur P.S.Case No. 47 of 2014, pending in the court of Chief Judicial Magistrate, katihar stands rejected.

However, if petitioners surrender and seeks regular bail before the court of Chief Judicial Magistrate, Katihar/ concerned court within four weeks from today the learned Chief Judicial Magistrate, Katihar/ concerned court shall dispose of the regular bail application of the petitioners on the date of their surrender and thereafter if, petitioners file any regular bail petition before the sessions court, the regular bail petition of the petitioners shall be considered on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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