

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43512 of 2014

Arising Out of PS.Case No. -222 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

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1. Kallu Singh @ Kallu Kumar @ Lallu Kumar son of Late Bhaso Singh
Resident of Village - Mehus, P.S. Mehus, District - Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.9507 of 2015

Arising Out of PS.Case No. -222 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

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1. Avinash Kumar son of Sita Ram Singh resident of village Chitaura
(Mobarakpur) P.S. Mehus, District Shekhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.43512 of 2014)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. B.M.P Sinha (App)

(In Cr.Misc. No.9507 of 2015)

For the Petitioner/s : Mr. Madan Prasad Singh No-2

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 27-03-2015 Above noted applications have arisen out of one

occurrence i.e Sheikhpura P.S. Case No. 222 of 2014 registered

for the offences punishable under Sections 364, 302, 379, 201,

120B of the Indian Penal Code and Section 27 of the Arms Act,

as such they have been heard together and are being disposed of

by this common order.

Allegedly, in presence of petitioners, the son of the informant was called and thereafter, he was killed and his mobile, cash Rs. 10,000/- and wrist watch were also snatched away.

Submission is of false implication and that the only allegation against the petitioners is that they were present and nothing specific overt act has been attributed against them. FIR has been lodged after delay without any explanation and only on suspicion the petitioners have been implicated, there are so many cases against the deceased, and as such, the petitioners deserve sympathetic consideration to which the learned APP opposes by submitting that due to enmity the petitioners in collusion and conspiracy along with other co-accused have committed the crime.

Considering that the petitioners were present at the time of occurrence and in their presence son of the informant was killed, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioners above named of both the cases, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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