

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5430 of 2013

Arising Out of PS.Case No. -1 Year- 2013 Thana -SIKRAUL District- BUXAR

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1. Ram Naresh Ram @ Ram Naresh Paswan, S/O Ram Ruchi Ram,
Resident Of Village Diwan Ke Barka Gaon, P.S. Itarhi, District Buxar.
2. Vinod Ram @ Vinod Paswan, S/O Ram Ruchi Ram, Resident Of Village
Diwan Ke Barka Gaon, P.S. Itarhi, District Buxar.

.... Petitioners/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bachanjee Ojha, Advocate

For the State : Mr. Abhay Kr. Roy (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 01-04-2015 The petitioners are being tried for the offences in Sikraul

P.S. Case No.1 of 2013 punishable under Sections 302, 328/34

and 120B of the Indian Penal Code, pending in the court of Chief

Judicial Magistrate, Buxar.

Earlier, the petitioners had approached the trial court for
anticipatory bail in connection with Sikraul P.S. Case No.12 of
2012 and on dismissal, approached this Court by filing Cr.Misc.
No.16391 of 2012 and were granted anticipatory bail on
18.9.2012.

However, on the basis of F.S.L. report, further
investigation is undertaken by another Investigating Officer and
that the viscera report revealed poisonous materials and thus
attempt was being made to arrest the petitioners once again.
Apprehending arrest, the petitioners filed ABP No.73 of 2013 in

the court of Sessions Judge, Buxar. The same was dismissed on 19.1.2013. Hence, this application for grant of anticipatory bail under Section 438 of Cr.P.C.

Heard learned counsel for the petitioners, learned A.P.P. for the State as well as learned counsel for the complainant.

Once the petitioners were granted anticipatory bail, the question of their being arrested in relation to the same case does not arise. However, the petitioners apprehend their arrest on account of subsequent investigation. Hence, the application is allowed.

Police are directed not to arrest the petitioners in connection with Sikraul P.S. Case No.1 of 2013. However, the petitioners shall appear before the police as and when required in course of investigation of the case.

(L. Narasimha Reddy,CJ)

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