

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40473 of 2014

Arising Out of PS.Case No. -188 Year- 2014 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

1. Anju Devi Wife of Akhilesh Chauhan @ Alakh Chauhan Resident of
Village-Bira Kunwar, P.S.-Islampur, District-Nalada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.7871 of 2015

Arising Out of PS.Case No. -188 Year- 2014 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

1. Jitendra Kumar Son of Surendra Chauhan Resident of Village -
Birakunar, P.s. - Islamppur, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.40473 of 2014)
For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Ram Anurag Singh (App)

(In Cr.Misc. No.7871 of 2015)

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 26-03-2015 Heard both sides.

The petitioners apprehend their arrest in a case under sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

The informant named the petitioners along with Akhilesh Chouhan and Chandramani Chauhan and alleged that all the four accused persons armed with pistols in their hands came to the roof of the house of the informant, and Akhilesh Chouhan and Chandramani Chauhan fired on Azad Kumar killing him on the spot.

Learned counsel for the petitioners submits that petitioner Anju Devi is the wife of Akhilesh Chauhan, and she is a lady and there is no overt act alleged against the petitioner Anju Devi.

It appears from the F.I.R. that all the four accused persons having armed with pistols went to the roof of the informant and Akhilesh Chauhan and Chandramani Chauhan made firing killing Azad Kumar on the spot.

Considering the aforesaid facts, I am not inclined to

grant anticipatory bail to the petitioners. Accordingly, the same is rejected.

If the petitioners surrender in the court below and pray for regular bail, the learned court below shall consider the same without being prejudiced by the order of this Court and take into consideration that the petitioners are not the assailants of the deceased, and dispose of the bail application on the same day.

(Prabhat Kumar Jha, J)

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