

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41521 of 2014

Arising Out of PS.Case No. -65 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

1. Baby Devi Wife of Manoj Mahto @ Nirahua
2. Kajal Kumari D/o Manoj Kumar @ Nirahua Resident of Mohanpur
Azadnagar, P.S.-Samastipur (Muffassil), District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj, Advocate

For the Opposite Party/s : Ms. Rina Sinha (APP)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 23-07-2015

The petitioners figured as accused in Dalsingsarai

P.S. Case No.65 of 2014 and they were alleged to have committed offences punishable under Sections 302 and 201 of the Indian Penal Code.

Apprehending their arrest, the petitioners filed ABP No.2220 of 2014 before the Sessions Judge, Samastipur. The same was rejected on 22.08.2014. Hence, this application for grant of anticipatory bail under Section 438 Cr. P.C.

It is no doubt true that when the case was registered, no specific person was shown as accused, obviously because the dead body was found in a bag by the road side. In the course of investigation, the father of the deceased is said to have named the petitioners. The truth or otherwise of the allegation against the petitioners needs to be considered in the

trial.

This Court is not inclined to grant anticipatory bail. However, it shall be open to the petitioners to surrender before the trial Court, within four weeks from today, and if an application for regular bail is filed, the same shall be considered and appropriate order shall be passed within two days from the date of filing.

(L. Narasimha Reddy, CJ)

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