

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19351 of 2015

Arising Out of PS.Case No. -25 Year- 2014 Thana -KUCHAIKOTE District- GOPALGANJ

- =====
1. Pintu Kumar @ Pintu Kushwaha, Son of Vishwanath Prasad, resident of Hajiyapur, Police Station- Gopalganj(Town) District Gopalganj.
 2. Sanjay Kumar @ Sanjay Kushwaha, son of Indrashan Kushwaha, resident of Khajuri East Tola, Police Station-Kuchaykot, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bharosa Bhagat, Son of Late Bhimal Bhagat, R/O Vill-Khajuri, East Tola, P.S. Kuchan Kat, Distt.-Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Y.V. Giri, Sr. Advocate
		Mr. Shivendra Kumar Sinha, Advocate
For the State	:	Smt. Gulnar Begum(APP)
For O.P. No.2	:	Mr. Ranjeet Kumar Pandey, Advocate
		Mr. Jitendra Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-09-2015 Heard learned counsel for the petitioners and the learned counsel for the complainant-informant as well as the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Kuchaykot P.S. Case No.25 of 2014 for allegedly having committed the offences under Sections 364, 302, 34, 120B and 379 of the Indian Penal Code.

It is submitted on behalf of the petitioners that though earlier case was filed by Choukidar, the petitioners were not named, but subsequently in the complaint petition, the

petitioners have been named.

The allegation against the petitioners as well as three others is that they came to the house of the deceased and told him that a Bolero vehicle was available for sale and as such, the deceased, who had earlier sold the Commander vehicle, took the proceeds of the said vehicle and proceeded along with the petitioners and three others to purchase the vehicle, after which he was found murdered.

Learned counsel for the complainant-informant, however, submits that regular bail of similarly situated persons was granted only after framing of charge whereas these petitioners have been absconding since long.

Considering the aforementioned facts and circumstances and that the petitioners are similarly situated, let the petitioners, above named, surrender in the court below i.e., in the court of the learned Chief Judicial Magistrate, Gopalganj, in connection with Kuchaykot P.S. Case No.25 of 2014, within a period of three weeks from the date of receipt/production of a copy of this order and their case may be treated at par with the two other co-accused persons, namely, Satyendra Kushwaha and Binay Kushwaha in terms of the order passed by a Bench of this Court, vide order dated

21.04.2015 in Cr.Misc. No.5715 of 2015.

The anticipatory bail application of both the petitioners is dismissed.

(Anjana Mishra, J)

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