

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10727 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -BHELDI District- SARAN

Raj Kishore Singh Son of Late Ganga Singh, Resident of Village - Basdih
Gawandri, Police Station - Bheldi, District - Saran (Chapra).

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

with

Criminal Miscellaneous No.11181 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -BHELDI District- SARAN

1. Dhiraj Singh @ Dhiraj Kumar Singh son of Shri Raj Kishore Singh
2. Chandan Singh son of Shri Raj Kishore Singh Both are residents of
Village- Basdih Gawandri, Police Station- Bheldi, District- Saran (Chapra).

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

(In Cr.Misc. No.10727 of 2016)

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan(App)

(In Cr.Misc. No.11181 of 2016)

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4. 22-06-2016 Heard both sides.

The petitioners apprehend their arrest in Bheldi P.S.
Case No. 69/2015, registered for the offences punishable under
Sections 302, 34 of the Indian Penal Code and Section 3(II) (XI)
of the S.C./S.T. Act.

The informant made allegation that her husband used to tap toddy from Palm tree of Raj Kishore Singh (petitioner) and when he refused to give toddy free of cost to the petitioner the petitioner and others caught her husband and strangled him to death and hanged his dead body from a tree.

It is submitted that informant is not an eye-witness of the occurrence. None of the witnesses are claimed to be the eye-witness of the occurrence, but the true fact is that when the dead body was recovered only thereafter F.I.R. was lodged.

Learned A.P.P. vehemently opposed the prayer for bail and submitted that witnesses have stated that petitioner and others having armed with different weapons came and caught the deceased Manmohan Manjhi and strangled him to death. From the Postmortem report also it appears that the deceased died due to strangulation.

Considering the facts aforesaid and the nature of allegation made against the petitioner and others, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--