

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16274 of 2016

Arising Out of PS.Case No. -109 Year- 2005 Thana -KATORIA District- BANKA

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1. Mangar Yadav son of Khagali Yadav,
2. Surendra Yadav son of Baldeo Yadav
3. Jitu Yadav, son of Prabhu Yadav,
4. Basudeo Yadav, son of Chochal Yadav
5. Ganesh Yadav, son of Mangar Yadav
6. Bhum Yadav son of Mangar Yadav, All are resident of village- Kanibel,
P.S.- Katoria, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 04-07-2016 Heard both sides.

The petitioner no. 3, 4, 5 and 6 apprehend their arrest in Katoria P.S. Case No. 109/2005, registered for the offence punishable under Sections 302, 307, 341, 34 of the Indian Penal Code Section 3, 4 and 5 of Explosives Act.

Petitioner no. 1 and 2 has already been arrested.

The informant alleged that two persons followed informant and Chandramani Devi on motorcycle. The petitioners also came from other side and surrounded the informant and Chandramani Devi. Thereafter one of the accused threw bomb on the informant and Chandramani Devi. Chandramani Devi died on

the spot. The informant got explosive injury on his hip. The villagers assaulted both the accused who were on motorcycle and killed them. Petitioners manage to flee away.

Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case on account of enmity. The police after investigation submitted final form, but cognizance was taken against the petitioners on 28.12.2010. The petitioners did not receive any notice since then.

It appears that the petitioners are evading their appearance before the court for the last six years.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners' no. 3, 4, 5 and 6 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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