

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19436 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -FALKA District- KATIHAR

- =====
1. Md. Sabir, Son of Late Sadique
 2. Nabre Alam, Son of Md. Sabir
 3. Firoj Alam, Son of Sk. Rajo
 4. Siraiya @ Turaiya Praween @ Suraiya Bano, Daughter of Md. Sabir
 5. Chunar Alam @ Chunar, Son of Rasid
- All resident of Village Morsanda P.S. Falka District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

 This application, for grant of anticipatory bail,
arises out of Falka P.S. Case No.25 of 2016, disclosing
offences under Sections 302/34 of the Indian Penal Code.

 Learned counsel for the petitioners has
submitted that petitioners' implication in the present case is

based on mere suspicion, as is evident from the First Information Report itself.

On perusal of the First Information Report, I am of the view that the said suspicion cannot be said to be unfounded. Since custodial interrogation of the petitioners may be required, I am not inclined to grant them the privilege of anticipatory bail, in the present facts and circumstances of the case. I have also taken note of Supreme Court decision, in case of **"Jai Prakash Singh vs. State of Bihar & Another"**, reported in **(2014) 4 SCC 379**, while coming to this conclusion, and I do not find any exceptional circumstance, warranting this Court to grant the petitioners the privilege of anticipatory bail.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioners, abovenamed, are directed to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the learned court below on its own merit, without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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