

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25936 of 2016**

Arising Out of PS.Case No. -175 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

- =====
1. Dharmendra Kumar son of Awadh Ram
  2. Mukesh Kumar Son of Kanhaiya Ram both resident of village Dariyapur, P.S. Udwantnagar, Dist.-Bhojpur at Ara ( Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. M. Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2      11-07-2016                      Heard the counsel for the petitioners and Mr. M. Dayal APP for the State.

The two petitioners apprehend their arrest in connection with Udwant Nagar P.S case no. 175 of 2016 registered under Sections 302/34 of the IPC and Section 27 of the Arms Act.

Few accuseds came and took the son of the informant on certain plea to a place where the petitioners and others had congregated. It is alleged that he was assaulted there, as a result whereof, he died.

Contention of the petitioners is that they are not armed with any fire arm. The deceased received fire arm injury

which resulted in his death. The petitioners deserve the privilege of anticipatory bail.

Learned APP opposed the prayer and contended that the occurrence was given effect to in a pre-planned manner in which everyone had a role to play.

Be that as it may, in the facts and circumstances of the case, I am not inclined to extend them the privilege of anticipatory bail. Prayer is rejected.

**(Kishore Kumar Mandal, J)**

Shyam/-

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