

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45036 of 2015

Arising out of PS.Case No. -55 Year- 2015 Thana -MUSRIGHARARI District- SAMASTIPUR

1. Sushil Kumar Choudhary, Son of Ganga Prasad Choudhary.
2. Renu Devi @ Renu Kumari, Wife of Sushil Kumar Choudhary. Both residents of Village - Ramchandrapur Andhail, Police Station Ujiarpur, Distt. – Samastipur.
3. Anjay Kumar, Son of Tulsi Ishwar, resident of village - Narwan, Police Station Bibhutipur, Distt. – Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Subhash Chandra Bose, Advocate.
For the Opposite Party : Mr. Navin Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-01-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Musarigharari P.S. Case No. 55 of 2015 for the offences instituted under Sections 302, 201 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the petitioners and other co-accused persons under a conspiracy called the son of the informant, committed his murder and threw his dead body in the lonely place.

It has been submitted on behalf of the petitioners that the

petitioners have falsely been implicated in the present case. There is no specific allegation against the petitioners. The other co-accused has been granted regular bail by this Court vide Cr. Misc. No. 41149 of 2015. There is no eye witness to the alleged occurrence.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners in connection with Musarigharari P.S.Case No. 55 of 2015, pending in the court of the learned C.J.M., Samastipur. The same is rejected. Anyhow, if the petitioners surrender in the learned court below within a period of six weeks from the date of receipt/production of copy of this order, the same shall be considered by the learned court below on its own merit without being prejudiced by this order taking into account that other co-accused has been granted regular bail by this Court.

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(Sudhir Singh, J)