

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50906 of 2015

Arising Out of PS.Case No. -63 Year- 2014 Thana -BIRPUR District- SUPAUL

- =====
1. Shivlal Sada Son of Late Bhola Sada
 2. Shobhi Sada @ Subi Sada son of Kusumlal Sada, Both resident of Rani Patti, P.S. Birpur, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-02-2016 Petitioners are permitted to withdraw the application as against petitioner no. 2. As such, the same is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 1 and the State.

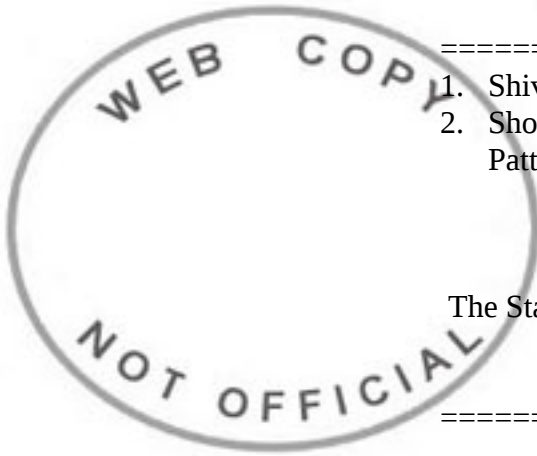
The petitioner no. 1 is apprehending his arrest in a case instituted under Sections 302, 328 and 201/34 of the Indian Penal Code.

Allegation against the petitioner is that he is involved in the killing of deceased Manju Devi, aged about 20 years.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. There is no eye witness to the alleged occurrence. The petitioner has been made accused due to mistake of fact. The dead body of the deceased has not been recovered from the house of the petitioner.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, I am



not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, the petitioner is directed to surrender in the court below, i.e., S.D.J. M., Birpur, Supaul, in connection with Birpur P. S. Case no. 63 of 2014 within a period of six weeks from the date of receipt of a copy of this order and pray for regular bail which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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