

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26494 of 2016**

Arising Out of PS.Case No. -75 Year- 2015 Thana -HISUA District- NAWADA

- =====
1. Sanjay Kumar @ Sanjay Lal son of Chhote Lal, resident of village- Bageshwari Asthan near Central School, Police Station-Delha, District- Gaya
  2. Ranjeet Kumar Barnwal
  3. Sujeet Kumar Barnwal @ Chintu, both sons of Late Brij Nandan Lal,  
Both residents of village- Akbarpur Hat Par, Police Station- Akbarpur, District- Nawadah
- .... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Satish Narayan Sinha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      01-07-2016                      Heard Sri Sanjeev Ranjan, learned counsel, who was assisted by Sri Satish Narayan Sinha, learned counsel for the petitioners and Sri Shailendra Kumar, learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in connection with Hisua P.S. Case no.75/2015, initially registered for the offence under Section 363 of the Indian Penal Code and subsequently Section 302/34 of the Indian Penal Code was added, have prayer for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners that petitioner no.1 is brother of the wife of the deceased. He submits that on 09.04.2015 in the night some quarrel



had taken place in the in-laws house of sister of petitioner no.1. On being called, the petitioner no.1 went there and, thereafter his sister followed her and one day thereafter on 11.04.2015 as per information given by sister of petitioner no.1, an F.I.R vide Hisua P.S. Case no.74/2015 was lodged for offence under Section 498A and other allied Sections of the Indian Penal Code against the member of the in-laws. Only on the next day, the father of the deceased (husband of petitioner no.1's sister) lodged an F.I.R. vide Hisua P.S. Case no.75/2015 for the offence under Section 363 of the Indian Penal Code. He submits that in this case through there is no either direct or indirect evidence, even then the petitioners have been implicated in the present case.

Learned Addl. Public Prosecutor , by way of referring to Annexure-1 i.e. F.I.R. of Hisua P.S. Case no.75/2015 submits that the father of the deceased had simply lodged an F.I.R. against unknown disclosing therein that after the wife of the deceased had left his house, on the next date in the morning his son after saying that he was going to the house of his wife, left his house on 10<sup>th</sup> April,2015 and , thereafter he received no information regarding whereabouts his son and, as such, against unknown an F.I.R. was lodged. Subsequently dead body of his son was recovered.

During investigation some evidence has been collected, which points out finger against the accused persons. In view of facts and circumstances, I do not find any ground to extend the privilege of anticipatory bail.

The petition stands dismissed.

**(Rakesh Kumar, J)**

NKS/-

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