

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33851 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

- =====
1. Ram Singh Paswan,
 2. Bhola Paswan @ Shiv Nath Paswan. Both son of Ram Lagan Paswan, resident of village- Phulwariya, P.O.- Mirjapur, P.S.- Mahua, District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor
Md. Azimuddin

For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 09-12-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Mahua P.S. Case No. 14 of 2016 for the offences instituted under Sections 302, 201 and 34 of the Indian Penal Code.

The allegation against the petitioners is of committing murder of the deceased.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. They have falsely been implicated in the present case.



There is no eyewitness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioners in the present case.

On behalf of the State, it has been submitted that the petitioners are uncles of the deceased. They are named in the F.I.R and the deceased has died in the custody of the accused persons.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioners. The same is rejected in connection with Mahua P.S. Case No. 14 of 2016, pending in the Court of learned C.J.M., Vaishali at Hajipur.

Anyhow if the petitioners surrender in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J.)

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