

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43513 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -SAHIYARA District- SITAMARHI

1. Gagandeo Singh.
2. Sukeshwar Singh.
Both sons of Kapal Singh, resident of village-Ghoghraha, Tola, P.S.
Sahiyara, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Sahiyara P.S. Case No.90 of 2015 registered under Sections 302,
120(B) and 201/34 of the Indian Penal Code, pending in the court
of the Additional Chief Judicial Magistrate, Sitamarhi.

The accusation is of killing the deceased, the sister of the
informant, by her in-laws including the petitioners and to dispose
of her dead body.

Learned counsel appearing on behalf of the petitioners
submits that the petitioners are brothers-in-law of the deceased,
the sister of the informant, and have falsely been implicated in this

case. Moreover, after investigation of the case, the police has submitted final form against the petitioners but the learned Judicial Magistrate differing with the opinion of the police, took the cognizance of the offence against the petitioners.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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