

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22002 of 2016**

Arising Out of P.S. Case No. -320 Year- 2015 Thana -HILSA District- NALANDA  
(BIHARSHARIFF)

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1. Ajay Sharma @ Ajay Kumar Sharma, Son of Late Rajdeo Singh  
2. Raj Kumar Sharma @ Gappu  
3. Mulur Sharma @ Mulur Kumar  
Both petitioner No. 2 and 3 sons of Ajay Sharma @ Ajay Kumar Sharma  
4. Siyamani Devi, Wife of Ajay Sharma @ Ajay Kumar Sharma  
All Residents of Village - Momindpur, Police Station Hilsa, District –  
Nalanda

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate.  
For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      14-09-2016

Heard both sides.

The petitioners apprehend their arrest in Hilsa P.S.  
Case No. 320 of 2015 registered under Sections 302, 201/34 of the  
Indian Penal Code.

The prayer for anticipatory bail of the petitioners was  
earlier rejected vide order dated 09.11.2015 passed in Cr. Misc.  
No. 40795/2015. Learned counsel for the petitioners submits that  
the police after investigation submitted final form finding the case  
false against the petitioners but the learned A.C.J.M. took  
cognizance under Sections 302 and 34 of the Indian Penal Code.  
Hence, the petitioners may be enlarged on anticipatory bail.

It appears that the prayer for anticipatory bail of the

petitioners was earlier rejected vide order dated 09.11.2015 passed in Cr. Misc. No. 40795/2015 but the petitioners did not surrender in court and he evaded his appearance. The police, after investigation, submitted final form. The learned A.C.J.M., after perusing the case diary, took cognizance under Sections 302/34 of the Indian Penal Code. The informant and her daughter are the eye witnesses of the occurrence who very categorically stated that the petitioners killed the husband of the informant and took away the dead body for cremation.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail in Hilsa P.S. Case No. 320 of 2015. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

Dilip/-

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