

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49080 of 2015

Arising Out of PS.Case No. -176 Year- 2014 Thana -POTHIYA District- KISANGANJ

1. Masood Alam @ Masood son of Sarfuddin
2. Habibul Rahman son of late Ishruddin
3. Sarfuddin son of Late Kaluwa All resident of Village- Adhikari, Police Station- Paharkatta (Pothia), District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Satyavrat Verma(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

4 28-03-2016

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Pothia Police Station Case No. 176 of 2014, disclosing offences under Sections 302/201/34 of the Indian Penal Code.

It transpires that in similar circumstance, this Court, vide order dated 02.02.2016, passed in Criminal Misc. No. 23243 of 2015, has rejected anticipatory bail application of other co-accused persons, namely, Afaq, Ghulam Mustafa @ Ghulam, Qamrul and Haroon.

I do not find any distinguishable facts in the case of the present petitioners and those whose application

were rejected.

This application is accordingly rejected.

The petitioners, above named, are directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the Court below on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail.

The Court expects that the Court below shall consider the aspect as to whether any incriminating material(s) has been collected against these petitioner in course of investigation, while consider their prayer for regular bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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