

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30118 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -CHHATAPUR District- SUPAUL

1. Dinesh Das
2. Umesh Das both sons of Prameshweri Das
3. Sanjeet kumar son of Dinesh Das are resident of Village - Kaviyahi,
Police Station - Shankarpur, District-Madhepura

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Arun, Advocate.

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-10-2016 Heard both sides.

The petitioners apprehend their arrest in Chhatapur P.S.
Case No. 26 of 2016 registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The Chowkidar lodged the case against unknown after
recovery of dead body of a male.

Learned counsel for the petitioners submits that during
course of investigation in paragraph-24 of the case diary it
transpired that one Vivek took the deceased with him and name of
the petitioners do not figure in the statement of Manju Devi, the
sister-in-law of the deceased. The mobile of the deceased was
found switched off. It is further submitted that after four months of



the occurrence, the witnesses Omni Devi in paragraph-58, Santosh Yadav in paragraph-59 and Gajendra Yadav in paragraph-60 of the case diary disclosed that Sanjit Das took Mantosh, the deceased and Vivek Yadav, Sanjit Das, Dinesh Das and Umesh Das killed Mantosh. It is further submitted that on 22.01.2016 the deceased was found talking with the maternal sister of Manju Devi. There is no direct allegation against the petitioner, save and except suspicion that too on the ground that the deceased was imparting tuition to the sister of the petitioners.

On the other hand learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners have got criminal antecedent and this fact has been concealed in paragraph-3 of the anticipatory bail petition. All the three petitioners are accused in Shankarpur P.S. Case No. 60 of 2014 registered under Section 307 and other Sections of the Indian Penal Code.

Having considered the facts that the witnesses during course of investigation have stated that Sanjit Das took the deceased along with Vivek on the pretext of showing a girl for marriage and thereafter the dead body of the deceased was found and the petitioners are suspected to have killed the deceased and

they have got criminal antecedent, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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