

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50825 of 2015

Arising Out of PS.Case No. -129 Year- 2014 Thana -NANHUPUR District- SITAMARHI

- =====
1. Bijli Sahni son of Thaga Sahni @ Thage Sahni
 2. Thaga Sahni @ Thage Sahni son of Late Sukan Saw Both resident of village Chagauti, P.S. Nagpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 148, 149, 341, 323, 324, 302, 304 and 506 of the Indian Penal Code.

Allegation against the petitioners is that due to some altercation they assaulted son of the informant with knife and other weapons. As a result of which he died in course of treatment.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. There is no overt act alleged against petitioner no.2. Petitioners have falsely been implicated in the present case.

On behalf of the State, it is submitted that there is direct allegation of assault by knife on petitioner no. 1 and petitioner no. 2 was also present at the time of occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners, same is rejected.

Any how, if the petitioner surrenders in the court

below, i.e., Chief Judicial Magistrate, Sitamarhi, in connection with Nanpur P. S. Case no. 129 of 2014., within a period of six weeks from today, same shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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