

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52640 of 2015**

Arising Out of PS.Case No. -273 Year- 2015 Thana -MANER District- PATNA

- =====
1. Ganauri Rai Son of Banbari Rai  
2. Botal Rai @ Uday Rai Son of Bambm Rai Both Resident of Village -  
Sherpur, P.S.- Maner, District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Sangita Sharma (App)

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

4      04-01-2016      Heard both sides.

The petitioners apprehend their arrest in a case under  
Section 364, 302, 201/34 of the Indian Penal Code.

The brother of the deceased lodged the case after  
recovery of dead body of Manoj Rai that Manoj Rai had some hot  
exchange with petitioners and other accused persons.

It is submitted that the occurrence took place on  
27.06.2015 and Sanha was given on 29.06.2015 but the informant  
did not name anybody nor raise suspicion against any person  
including the petitioners but when the dead body was recovered,  
the informant suspected that the petitioners might have killed his  
brother.

The learned Additional Public Prosecutor, however, opposed the prayer for bail and submitted that wife of deceased, in paragraph 21 of the case diary, has very categorically stated that petitioners and others took the deceased with them on the date of occurrence and thereafter the deceased did not return.

Having considered the fact that none else than the wife of deceased has stated that the deceased went along with the petitioners and thereafter he did not return, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

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