

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16953 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -KADIRGANJ District- PATNA

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1. Savita Devi W/O Nepali Bind
2. Urmila Devi W/O Ram Ratan Bind
3. Nepali Bind S/O Sita Ram Bind All resident of Village- Pakaura, Beldari
Tola P.S.- Kadirganj, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lallu Prasad

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-07-2016 Heard both sides.

The petitioners apprehend their arrest in Kadirganj P.S. case No. 38 of 2015 under Section 302 and other sections of the Indian Penal Code.

The informant came to know that his father, Mahesh Bind, was killed in village Pakoda Beldari. The informant went to the village and came to know from the witnesses that petitioners and other accused persons brutally assaulted his father and after killing threw his dead body by the side of river.

The learned counsel for the petitioners submits that petitioners are charge sheet witnesses of a case lodged against the informant and his father. There is no eye witness of the

occurrence. Similarly situated accused Akhilesh Bind and Umesh Bind have already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 13470 of 2016 on 08.04.2016 but from perusal of the case diary it appears that Paro Devi, Tippu Bind, Shamful Devi and other witnesses have stated that they were present when Mahesh Bind was assaulted by the petitioners. They have stated that the petitioners killed Mahesh Bind by indiscriminately assaulting him and threw his dead body by the side of the river.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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