

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22570 of 2016

Arising out of P.S. Case No. -24 Year- 2004 Thana -RIGA
District- SITAMARHI

- =====
1. Nathuni Sah, Son of Ramadhar Sah, Resident of Village Sisahani P.S. Pakari Dayal District- East Champaran.
 2. Manoj Ram, Son of Chulhai Ram Resident of Village- Chaita, P.S.- Pakari Dayal, District- Easy Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s: Mr. Sanjay Kr. Panday (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

02. 25.07.2016

Heard both sides.

The Petitioners apprehend their arrest in Riga P.S. Case No. 24 of 2004 registered for the offences punishable under Sections 147, 148, 149, 307, 324, 326, 452, 427, 380 and 302 of the Indian Penal Code, Section 27 of the Arms Act, Section 3 of the Explosive Substance Act and Section 17 of the C.L.A. Act pending before the learned Chief Judicial Magistrate, Sitamarhi.

The Informant did not name the petitioner and alleged that more than 100 miscreants armed with deadly weapons entered in his house and opened firing in which informant's brother Ratnesh Kumar Singh was killed and the house of the Informant was blasted.

It is submitted that the petitioners are not named in

the FIR. Their name figured in the case on mere suspicion. The non-bailable warrant of arrest was issued against the petitioners on 27.11.2015.

It appears that the name of the petitioners figured in para 89 of the original case diary. As per para 108 of the case diary, many persons disclosed the name of the petitioners. The petitioners have got criminal antecedents and they are accused in many other criminal cases of similar nature.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail is rejected.

(Prabhat Kumar Jha, J.)

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