

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38953 of 2015

Arising Out of PS.Case No. -201 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Ram Janam Prasad S/o Chandradeep Mahto
2. Sunil Prasad S/o Late Jugal Mahto Both are Resident of Village Jorarpur,
Police Station Harnaut, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 24-02-2016 Heard the counsel for the petitioners and Mr.

Nirmal Kumar Sinha, APP for the State.

The two petitioners herein seek anticipatory bail in

Harnaut P.S. Case No. 201 of 2015 registered under Sections

302, 328, 120(B)/34 of the Indian Penal Code.

The father of the deceased lodged the case alleging

that the son had fled away from home with the daughter of the
petitioner no. 1. On enquiry, he was found having visited the
house of relative of the informant, from where, he was taken
away by the two petitioners herein. On the following day, the
son was found senseless lying in the field. While carrying him
to the hospital he died. The informant suspected the hands of
the petitioners in killing his son by administering poison.

Counsel for the petitioners submits that except the suspicion, there is nothing tangible on record. The mother of the petitioners had earlier lodged a case against the deceased for having abducted the girl.

Learned APP on the other hand submits that on reading the First Information Report, it would appear, it was the petitioners, who took away the deceased and the following morning his body was found lying senseless. In course of investigation, materials have come which incriminate the petitioners in the crime.

Considering the facts and circumstances of the case, I do not find it to be a fit case for grant of anticipatory bail. Prayer is accordingly rejected.

The petitioners may surrender and pray for regular bail which shall be considered and disposed of on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

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