

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53105 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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1. Mithilesh Kumar Son of Basudeo Prasad
2. Bablu Kumar son of Ram Khelawan Mahto, Both are resident of
Village- Khalsa Dhibri, P.S.- Mufassil, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar,
Mr. Ravi Ranjan,
Mrs. Babita

For the Opposite Party/s : Mr. Gopesh Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 15-02-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are accused in connection with Warsaliganj P.S. Case No. 182 of 2016 registered under sections 364 and 365 of the I.P.C. pending in the Court of S.D.J.M., Nawada. Later on, section 302, 201 and 120B of the I.P.C. was added.

The allegation is that the informant's son went out from the house, but did not return his home. Thereafter, the informant made search but he could not be traced out and his mobile phone was found switched off.

Submission is that petitioners are not named in the



F.I.R. He has falsely been implicated in this case due to village politics. Further submission is that petitioner is in custody since 03.10.2016.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioners with submission that during the course of investigation, the name of the petitioners appeared and has criminal antecedent. Moreover, charge-sheet has been submitted under Sections 302/364/365 of the I.P.C. and from perusal of the paragraph nos. 47 and 48, the C.D.R. of the mobile shows the involvement of the petitioners in the case.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioners for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

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