

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9247 of 2017

Arising Out of PS.Case No. -127 Year- 2016 Thana -RIGA District- SITAMARHI

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1. Jagarnath Sah,
2. Baidnath Sah,
3. Raghunath Sah, All sons of Daroga Sah, All are resident of Village-
Panapur, P.S.- Riga, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Alok, Advocate

For the Opposite Party/s : . Smt. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-03-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Riga P.S.Case No. 127 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that though there is allegation of assaulting deceased against the petitioners in the FIR but the same does not find support from the materials collected during investigation and he has referred some paragraphs of the case diary, i.e., 29, 30, 65, 66 and 67, rather such allegation is against co-accused persons.

Heard learned APP also, who has opposed the prayer



for anticipatory bail of the petitioners and drawn my attention towards above paragraphs of the case diary which show that the witnesses in those paragraphs are hearsay witnesses, whereas FIR has been lodged by father of deceased, who claims to be eye-witness.

Having heard both sides and considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Let petitioners surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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