

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27711 of 2017

Arising Out of PS.Case No. -378 Year- 2016 Thana -NAUBATPUR District- PATNA

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1. Kirani Roy
2. Deonandan Rai @ Deonandan Singh Both are Sons of Late Ram Swarath Rai, resident of Village- Khajuri Ramnagar, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 22-08-2017 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Naubatpur Police Station Case No. 378 of 2016, disclosing offences under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, the petitioners happen to be nephew of the deceased and they along with their family were looking after the deceased, Sharifan Rai and the cremation and Sraddh Karm was also performed by the



petitioners. The informant is not the eye witness to the alleged occurrence nor any witnesses have seen the occurrence. Hence, the petitioners deserve the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that both the petitioners are named in the F.I.R. and there are allegations against them that they are seen fleeing away from the place of occurrence.

Considering the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, the prayer for grant of anticipatory bail of the petitioners is rejected.

(Arvind Srivastava, J)

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