

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26498 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sabir Husain, son of Ausi @ Wasid Mohammad, resident of Village-Shekhtoli Loukhan, Police Station- Ghorasahan, District- East Champaran, Motihari, at present residing at Village Gurmiya, Kachhariya, Police Station- Ghorasahan, District- East Champaran, Motihari.
 2. Mohammad Samsad, son of M. Wahid, resident of Village- Masodha, Police Station- Kundwa Chainpur, District- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Kumar Chandra, Advocate.
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ghorasahan P.S. Case No. 177 of 2016, registered under Section 302/34 of the Indian Penal Code.

The accusation is that when the husband of the informant was moving to his house for Court on motorcycle then Shiv Dhari Sah and Shankar Sah gave threatening to not return from the Court. Later on, informant came to know that her husband has been killed in course of returning to the Court. When she went there then found that her husband was dead.



Learned counsel for the petitioners submits that petitioners are not named in the F.I.R., but in course of investigation their names have surfaced in this case.

Learned A.P.P. appearing for the State submits that the witness, in paragraph 10 of the case diary, has stated about causing injury to the deceased by the petitioners and his cousin brother.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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