

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47339 of 2017

Arising Out of PS.Case No. -154 Year- 2016 Thana -HATHUA District- GOPALGANJ

- =====
1. Arvind Kumar Singh, Son of Sheojee Singh, resident of Village- Titra, P.S.- Mairwa, District- Siwan.
 2. Jai Prakash Tiwari, Son of Late Rajendra Tiwary, resident of Village- Titra, P.S.- Mairwa, District- Siwan.
 3. Braj Mohan Singh @ Brij Mohan Singh, Son of Jagat Singh, resident of Village- Nanpali, P.S.- Jiradei, District- Siwan.
 4. Shanu @ Shwetank Rai @ S.Rai, Son of Rakesh Rai, resident of Village- Titra, P.S.- Mairwa, District- Siwan.
 5. Vikash Kumar Rai, Son of Upendra Rai, resident of Village- Titra, P.S.- Mairwa, District- Siwan.
 6. Anurag Kumar Tiwari @ Banti, Son of Jai Prakash Tiwari, resident of Village- Titra, P.S.- Mairwa, District- Siwan.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-10-2017 Heard leaned counsel for the petitioners and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Hathawa P.S. Case No. 154 of 2016, registered under Sections 302 and 120 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Gopalganj.

The allegation of informant Md. Zahid is that on 10.08.2016 at about 3.00 P.M. he along with his villagers Jafar



Jamal and Hussain Abbas was present at the medical store of his brother Md. Sarbar. At that that time one unknown person aged about 20-25 years came and demanded some medicine, when brother of the informant woke up for giving medicine then the said person shot fire at his right chest and fled away with a motorcycle borne miscreant, who was standing on the motorcycle. The informant claimed to identify the miscreants on seeing them again.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioners are not named in the F.I.R. In course of investigation only suspicion has been raised against the petitioners.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners and also the fact that informant has detailed the physic of the culprits, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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