

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.941 of 2017

Arising Out of PS.Case No. -10 Year- 2015 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Krishna Bhagat, son of Raj Narain Bhagat,
 2. Bhagirath Bhagat, son of Raj Narain Bhagat, both resident of Village Telia Chapra, P.S.- Sahebganj, District- Muzaffarpur.
 3. Kamlesh Bhagat, son of Ram Chandra Bhagat, resident of Village- Darmaha, P.S.- Kesharia, District- East Champaran.
 4. Bhagwan Bhagat, son of Late Mahesh Bhagat, resident of Village- Madhubani, P.S.- Sahebganj, District- Muzaffarpur.
 5. Khublal Das, son of Late Ram Lakshan Das,
 6. Munna Das @ Munna Kr. son of Khublal Das,
 7. Anil Kumar Das, son of Lakshman Das,
 8. Rajeshwar Das, son of Ram Ashray Das,
 9. Dinesh Das, son of Bishwanath Das,
 10. Rajendra Das, son of Late Chaturi Das,
 11. Shambhu Das, son of Late Chaturi Das,
 12. Ram Niwas Das, son of Ram Ayodhya Das, All resident of Village- Telia Chapra, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A.K. Thakur
Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Humayu Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-01-2017 The petitioners are apprehending their arrest in connection with Sahebganj P.S. Case No. 10 of 2015, registered for offences punishable under Section 302/ 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that a large numbers of persons have been made accused in this case only on the basis of suspicion and even the police after investigation has not found the accusation to be true against these



petitioners. However, learned CJM, differing with the final form has taken cognizance in this case without assigning any reason.

Learned counsel for the opposite party no. 2 has submitted that several witnesses have supported the case of prosecution but in spite of that final form has been submitted in this case but learned Court below after considering the materials available on case diary took cognizance against these petitioners.

Having heard both sides, considering the facts and circumstances of the case, the nature of offence and the submissions advanced by the parties, I am not inclined to grant the petitioners the privilege of anticipatory bail, it is accordingly rejected.

Let the petitioners surrender before the Court below and pray for regular bail, which shall be considered by the learned Court below on the basis of the materials available in case diary and try to dispose of the application on very same day without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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