

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50818 of 2017

Arising Out of PS.Case No. -879 Year- 2017 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

- =====
1. Suraj Nath Pal @ Gudan Pal Son of Bilash Pal
 2. Bilas Pal son of Late Hanuman Pal Both are residents of Village :
Mednipur, Police Station : Sasaram (Muffasil), District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 14-12-2017 Heard the learned counsel for the petitioners as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Sasaram (Muffasil) P.S. Case No. 879 of 2017 for the offences punishable under section 302/34 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioners and other co-accused being armed went towards the land of Jhulan Sah and shot Baban Pal, the uncle of the informant, in the sleeping condition and then the informant and others went there and saw Baban Pal dead. Earlier there was dispute between the parties for grazing the cattle.

Submission is of false implication and that during



investigation it has come that earlier altercation has taken place between Srikant Pal and the informant, the petitioners have no role, the petitioner no.1 is aged about 90 years, besides suspicion there is no other material against the petitioners, there is no eye witness of the occurrence and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the informant has seen the petitioners also going towards the place of occurrence being armed and this fact finds support during investigation also.

In the facts and circumstances stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Rohtas at Sasaram.

Abhay/-

(Jitendra Mohan Sharma, J)

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