

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17902 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Neyamuddin @ Md. Neyamuddin, son of Late Sadique Miya, resident of village-Baltharwa, P.S. Pipra Kothi, District-East Champaran.
 2. Antesh, son of Akshaylal, resident of village-Sowarpur, P.S. Baliya, District-Baliya (U.P.).

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 08-05-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Piprakothi P.S. Case No.148 of 2016 registered under Sections 302 and 120(B) of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, East Champaran, Motihari.

The accusation is that Azad Alam, the younger brother of the informant Manauar Alam, used to drive J.C.B. of Md. Arman, the son of the petitioner no.1 Neyamuddin alias Md. Neyamuddin. On 30.09.2016, Azad Alam, the younger brother of the informant, proceeded for the house of Md. Arman for driving J.C.B. After two days, Riyaz, another driver of J.C.B., informed the informant that his



younger brother Azad Alam has died. Thereafter, the informant alongwith his other family members went to the house of Md. Arman, the son of the petitioner no.1 Neyamuddin alias Md. Neyamuddin, and saw his younger brother Azad Alam hanging in a room where the driver used to sleep. The informant raised suspicion against Md. Arman, Neyamuddin alias Md. Neyamuddin (petitioner no.1) and Antesh (petitioner no.2), the Assistant Driver, having hand in the murder of his younger brother Azad Alam after hatching conspiracy and hanging the dead body of his younger brother Azad Alam by folding Gamchcha to disappear the evidence.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall 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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