

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44366 of 2017

Arising Out of PS. Case No.-287 Year-2017 Thana- GARKHA District- Saran

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1. Satyajit Singh,
 2. Sandeep Both Sons of Triyugi Nath Sinha, R/o Village- Mohammadpur, P.S.- Garkha, District- Saran , At present R/o Mohalla- Sadhnapuri Chapra, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. SRI SHAILENDRA KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 14-11-2017 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in connection with Garkha P.S. Case No. 287 of 2017 registered for the offence punishable under section 302 and other allied sections of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that petitioners have been implicated in this case merely on account of previous enmity. It is further submitted that petitioners were in judicial custody in the alleged date of occurrence, this shows the falsity of the case. In the whole of the investigation, the investigating officer has failed to bring any material on the basis of which any adverse inference can be drawn against these petitioners.



Learned Addl. P.P. appearing for the State as also the learned counsel for the informant opposes the prayer for bail and submits that petitioners are named accused in the first information report and there is specific allegation against them. The plea of alibi of being in judicial custody taken by the petitioners is still to be verified during investigation. Petitioners have criminal history.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioners. The same is, therefore, rejected.

(Arvind Srivastava, J)

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