

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8590 of 2017

Arising Out of PS.Case No. -203 Year- 2013 Thana -KUDHNI District- MUZAFFARPUR

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1. Md. Nazir, Son of Md. Taiyab.
2. Md. Sajjad, Son of Md. Ishak.
Both Resident of Village- Bangara Banshidhar, P.S. Kurhani, District
Muzaffarpur. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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

ORAL ORDER

4 26-04-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Kurhani P.S. Case No. 203 of 2013 registered for the offences
punishable under Sections 302, 201, 328/34 of the Indian Penal
Code.

Allegedly, the petitioners and other co-accused killed
Mobin, the younger brother of the informant, after administering
poison to him and buried the dead body hurriedly.

Submission is of false implication and that the allegations
are omnibus and general in nature. The allegation has been
levelled only on suspicion. The deceased was drunkard and he
took drink of spurious liquor and thereafter, he died, there is no
eye witness of actual killing and as such the petitioners deserve



sympathetic consideration who are cousin brother-in-law and father-in-law of the deceased. The sale amount of land was taken away by his wife, mother-in-law and younger brother-in-law, the petitioners have got no concern with the same, they are living separately and as such the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that during investigation the witnesses have supported the allegation and the petitioners are named in the FIR also.

In the facts and circumstances stated above, considering the allegations attributed against the petitioners, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioners, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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