

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2881 of 2017

Arising Out of PS.Case No. -179 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI

1. Santosh Das S/o Aashish Das,
2. Bipin Das, S/o Late Sanjay Das @ Late Saryug Das
3. Raju Das, S/o Late Bauyalal Das,
4. Rajesh Das, S/o Late Batoran Das,
5. Dinesh Das, S/o Darogi Das

All are Resident of Village-Hajipur Ward No.-1, P.S.-Sahebpur Kamal,
District-Begusarai Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with Sahebpur Kamal P.S. Case No. 179 of 2016 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Allegedly, Sunil, Sanni and Abhishek aged about one and half years and Neha Kumari aged 5 years were sleeping at 9:00 p.m. and thereafter, at 3:00 a.m. when the informant woke up she found her child Abhishek absent and after search the dead body of Abhishek was found at a distance of 200 yards from her house in water of ditch near bamboo clump of Parmanand Jha. It is alleged



that on previous day at about 4:00 p.m. the petitioners abused her and threatened her to kill her child.

Submission is of false implication due to village politics, there is no eye witness and merely on suspicion the petitioners have been named, there is no iota of evidence against the petitioners and as such they deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail by submitting that the petitioners are named in the first information report.

In the facts and circumstances stated above, considering that the petitioners are named in the FIR as they have earlier caused threats to kill the child of the informant and ultimately the child was killed, I am not inclined to grant privilege of pre-arrest bail to the petitioners, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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