

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3246 of 2017

Arising Out of PS.Case No. -94 Year- 2013 Thana -BHELDI District- SARAN

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1. RAJESH SHARMA @ RAJESH KUMAR SHARMA.
2. Pankaj Sharma @ Pankaj Kumar Sharma. Both s/o Jaychand Sharma, r/o village-Rampur, p/s Garkha, District - Saran.

.... Petitioners

Versus

1. The State of Bihar.
2. Santosh Kumar Verma, s/o Ram Layak Sharma, r/o village- Malahi, p.s. - Bheldi, District - Saran.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Jha, Advocate.
For the State : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-03-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bheldi P.S. Case No. 94 of 2013 for the offences instituted under Sections 406, 420, 366, 302/34, 120(B) and 201 of the IPC.

The prosecution case, in short, is that the petitioners and others being the family members of the wife of the informant used to demand money from her and lastly in absence of the informant they took away his wife to their house on the pretext of illness of her mother and when the informant came to his house, he went to his *Sasural* and enquired about his wife but could not find any trace. They have taken cash and ornaments with his wife. He



learnt that the accused persons have committed murder of his wife and they have also committed murder of his daughter when their demand of money was not fulfilled by her *Sasural*.

The earlier anticipatory bail application of the petitioners was rejected on 09.09.2015 vide Cr. Misc. No. 27282 of 2015. This is second attempt on behalf of the petitioners for grant of anticipatory bail on the ground that the matter has already been settled between the parties through the compromise petition filed in the court below vide Annexure-7 to the present application. .

A report was called for from the court below regarding the stage of the case which is kept on the record at Flag-‘A’.

Considering the aforesaid facts and circumstances, I find no fresh ground to consider the case of the petitioners for grant of anticipatory bail as the offences are not compoundable. The same is rejected in Bheldi P.S. Case No. 94 of 2013, pending in the court of the learned Chief Judicial Magistrate, Saran at Chapra.

If the petitioners surrender in the court below within a period of six weeks from the date of receipt/production of copy of the order, the same shall be considered on its own merit without being prejudiced the order of this Court.

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(Sudhir Singh, J)

