

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19996 of 2018

Arising Out of PS. Case No.-11 Year-2017 Thana- NAWAKOTHI District- Begusarai

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1. Ram Kumar Sah, S/o- Late Debu Sah,
 2. Shyam Sah S/o- Ram Kumar Sah, Both R/o Village- Lauchhe Sisauni, P.S.- Bakhari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar

For the Opposite Party/s : Mr. Smt. Sahin Begam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-04-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Pinki Devi, submitted to the Station House Officer, Naokothi, is to the effect that on 28.02.2017, while the informant along with her husband was returning home on a motorcycle after consulting their doctor, but on the way, the petitioner no.1, Ram Kumar Sah, petitioner no.2, Shyam Sah and co-accused Anita Devi, wife of petitioner no.1 overtook the motorcycle of the informant's husband and asked him to stop when petitioners got the husband of the informant pull down from the motorcycle and in spite of the informant praying the accused to release her



husband, petitioners shot the husband of the informant on the head and chest, as a result of which, the husband of the informant died on the spot.

It is submitted by learned counsel for the petitioners that petitioner no.1 is an Advocate Clerk and he was not present on the spot. The petitioners have been roped in the present case maliciously. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners to have shot the husband of the informant.

From the impugned order, it appears that investigation has already concluded and the petitioners have been chargesheeted declaring them as absconder.

Considering the fact that the petitioners are the main assailants, alleged to have caused death of the husband of the informant, this Court is not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected in connection with Naokothi P.S. Case No. 11 of 2017, pending in the court of learned Judicial Magistrate,



1st Class, Begusarai.

(Dinesh Kumar Singh, J)

Amrendra/-

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