

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20892 of 2018

Arising Out of PS.Case No. -872 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Bhushan Rai, S/o Late Baidhnath Rai,
2. Amarnath Rai, S/o Late Baidnath Rai, Both R/o village- Chandpur
Dhamaun, P.S.- Patori, District- Samastipur.

.... Petitioners

Versus

1. The State of Bihar.
2. Shatrughan Rai S/o Late Sukhadev Rai, R/o Village- Chandpur
Dhamaun, P.S.- Patori, District- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh
For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with
Complaint Case No. 872 of 2016, lodged for the offences
punishable under Section 302/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with
other accused persons have tried to strangle the deceased
causing his death.

Submission of learned counsel for the petitioners is that
no specific allegation has been attributed against them and case
was found false after investigation.

Heard learned APP and learned counsel for the



informant. They have opposed the prayer for anticipatory bail of the petitioners on the ground that in this case process under Sections 82 and 83 Cr.P.C. has already been issued, as such, anticipatory bail application is not maintainable.

Having heard both sides and in the facts and circumstances, let petitioners surrender and make prayer for regular bail, which will be considered on its own merit and disposed of on the same day, if possible, without being prejudiced by the order of this Court.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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