

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58802 of 2018

Arising Out of PS. Case No.-74 Year-2008 Thana- DHARHARA District- Munger

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1. Sanjay Kora son of Siva Kora, resident of village Jatkuriya, P.S. Dharhara, District Munger
 2. Rajesh Kora @ Rajesh Kumar Kisku, son of Sadhu Kora, resident of Barmasiya, P.S. Dharhara, District Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 Counsel for the petitioners is permitted to make necessary correction in paragraph 1 of the petition in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in connection with Dharhara P.S. case No.74 of 2008 registered under Sections 147, 148, 149, 323, 324, 302, 364 of the I.P.C. as well as Section 27 of the Arms Act and Section 17 of the C.L.A. Act, pending in the court of Additional Chief Judicial Magistrate 1st, Munger.

The prosecution case, in short, is that the accused persons including the petitioners along with 20 unknown persons committed murder of the informant's brother.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. Altogether 8 persons including 20 unknown persons have been made accused in the present case. The occurrence is said to have taken place at twelve in the mid-night. Source of identification has not been disclosed by the prosecution. Other co-accused have been acquitted by the Trial Court.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. Specific allegation has been made against the petitioner. The case is of the year 2008. The inordinate delay in filing the present application has not been explained by the petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

If the petitioners surrender before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order, taking into the submissions advanced on their behalf.

(Sudhir Singh, J)

Narendra/-

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