

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11318 of 2019**

Arising Out of PS. Case No.-60 Year-2002 Thana- CHAKIA District- East Champaran

1. RAM BABU RAI Son of Late Banarsi Rai
2. Kunj Bihari Ram Son of Ram Sahay Ram  
Both are resident of Village – Ahiraulia, P.S. Chakiya, District East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vikram Jeet

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      08-05-2019                      Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Tr. No.2247 of 2018 arising out of Chakiya P.S.Case No.60 of 2002 registered for offences punishable under Sections 302, 201 of IPC and Section 27 of the Arms Act.

Allegation against the petitioners as per FIR is that the dead boy of the brother of the informant was found and having some injuries over the same in order to conceal the injuries the colour of the accident has been given . The petitioner is not named in the FIR and later on during the course of investigation the name of the petitioner has transpired in this case and furthermore the petitioner no.1 is accused in three other cases



and the petitioner no.2 is accused in two other cases.

Submission of the learned counsel for the petitioners is that there are no cogent and reliable evidence available against the petitioner and the name of the petitioner has transpired during the course of investigation.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that the case is of the year, 2002 and there are materials against the petitioner and apart from that they have criminal antecedent.

In such view of the matter, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below and pray for regular bail, which will be considered by the learned court below on the basis of materials available on the record..

With the aforesaid direction, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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