

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16095 of 2019

Arising Out of PS. Case No.-37 Year-2017 Thana- MOTIPUR District- Muzaffarpur

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1. SUNIL KUMAR @ SUNIL RAI Son of Ramdeo Ray
 2. Munna Rai Son of Lalu Ray
 3. Chandeshwar Rai Son of Dayal Ray
- All are Resident of Village - Maharani, P.S. Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 25-07-2019 The petitioners apprehend their arrest in connection with Motipur P.S.Case No. 37 of 2017 (S.Tr. No. 643 of 2017) registered under Sections 201 and 302/34 of the Indian Penal Code.

Allegation as per the FIR is that a dead body of a lady was found kept in a sealed bag near Ratanpura Over Bridge and further also a dead body of a 8-years old child was found in bag and there were marks of string upon neck and blood was coming out from the nose and mouth of the dead body.

Learned counsel for the petitioners submits that petitioners are innocent and not named in the FIR. He further submits that petitioners have been implicated only on the basis of confessional statement of Rajeshwar Singh and Rajiv Kr.



Singh.

On the other hand, learned counsel appearing on behalf of the State submits that in the case diary, entire discussion of occurrence has been explained by co-accused Rajeshwar Singh and Rajiv Kr. Singh and told that petitioner no. 3 in connivance with other co-accused persons including petitioner nos. 1 and 2 are involved in the crime. He submits that deceased lady is wife and girl child is daughter of accused Rajiv Kumar Singh and his son is also traceless and as per paragraph nos. 59 and 66 of the case diary, it has been stated that son was also killed by the accused persons.

After having heard learned counsel for the parties and taking into consideration the fact that complicity and involvement of the petitioners have come during the course of investigation based upon the statements of other co-accused and witnesses and two dead bodies have been recovered by the police, accordingly, I am not inclined to grant of privilege of anticipatory bail to the petitioners as such the same is rejected.

(Anil Kumar Sinha, J)

sujit/-

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