

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18059 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- UJIYARPUR District- Samastipur

1. Upendra Sahni @ Upendra Sahani, S/o Late Jay Kant Sahani Resident of Village- Chandaut Ward no.7, Police Station- Ujiyarpur, District- Samastipur.
2. Arun Sahni @ Arun Sahani, S/o Upendra Sahani, Resident of Village- Chandaut. Ward No. 7, Police Station- Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-06-2019 This is an application for grant of anticipatory bail in connection with Ujiyarpur P.S Case No. 99 of 2018, disclosing offences under Sections 302, 307, 323, 325, 341, 504, 506, 34 of the Indian Penal Code.

Allegation as per F.I.R. is that on the order of petitioner no.1, petitioner no.2 and other assaulted by Lathi and Danda, causing death of the wife of informant.

Submission of the learned counsel for the petitioners is that F.I.R. itself shows that there was land dispute between the parties and there was no intention to kill her. It has further been submitted that the petitioner is the order giver only.

Heard learned A.P.P. as well as the learned counsel



appearing on behalf of the informant also, who has opposed the prayer for bail on the ground that witnesses have also supported the prosecution case as alleged in the F.I.R.

Having heard both sides, in view of the facts and circumstances, as stated above, 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 make prayer for regular bail which shall be considered by the learned trial court on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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