

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30884 of 2019

Arising Out of PS. Case No.-489 Year-2018 Thana- GHORASAHAN District- East
Champaran

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1. Sonu Mian @ Md. Sonu, Son of Sahabajan Miyan Resident of Village - Golapakariya, Darjiya Tola, P.S.- Lakhara, District - East Champaran.
 2. Reya Mian @ Md. Reyaj Alam Son of Molajim Mian Resident of Village - Golapakariya, Darjiya Tola, P.S.- Lakhara, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Ghorasahan (Lakhaura) P.S. Case No.489 of 2018 for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

The allegation against the petitioners is that as per the First Information Report the petitioners were seen along with the deceased on the motorcycle with the brother of the deceased in the night of 09.12.2018 and on 10.12.2018 at about 6:00 A.M., the dead body of the deceased, i.e., son of the informant was found lying in front of the field of one Ramdeo Rai near the road.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as



there was no eye witness to the occurrence. Learned counsel further submits that petitioners are business men dealing with in grains and for the purpose of their business, they used to travel one village to another village. Learned counsel submits that they have falsely been implicate due to oblique motive.

On the other hand, learned counsel appearing for the informant vehemently opposes the prayer for bail and submits that there was previous enmity between the petitioners and deceased and the deceased was last seen in the night along with the petitioners and in the next morning at about 6:00 A.M. dead body of the deceased was found near the road side. Learned counsel further submits that the circumstances go against the petitioners and the investigation of this case is going on.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the case is at the initial stage and further custodial interrogation of the petitioners may be required inasmuch as the petitioners were last seen with the deceased, accordingly, I am not inclined to grant anticipatory bail to all these petitioners and the same is hereby rejected.

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(Anil Kumar Sinha, J)