

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47168 of 2019

Arising Out of PS. Case No.-93 Year-2018 Thana- AAYAR District- Bhojpur

1. BINDESHWARI SINGH S/O Late Mahangu Singh Resident of Village- Baligao, Mahthin Tola, P.O.- Baligao, P.S. - Ayar, District- Bhojpur.
2. Niranjan Kumar S/O Late Gupteshwar Singh Resident of Village- Baligao, Mahthin Tola, P.O.- Baligao, P.S. - Ayar, District- Bhojpur.
3. Bhola Kumar @ Bhola Singh S/O Late Gupteshwar Singh Resident of Village- Baligao, Mahthin Tola, P.O.- Baligao, P.S. - Ayar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Dubey
For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Ayar P. S. Case No. 93 of 2018 for the offence registered under Sections 302/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that admittedly, there was enmity between the parties and the story as made out by the prosecution appears to be on account of the said enmity and thus, false implication of the petitioners cannot be ruled out. He further submits that the informant is not an eye witness to the occurrence and therefore, the petitioners may be



extended the privilege of bail.

Diary of the present case was called for which has since been received.

Learned counsel for the State after consideration of the case diary submits that one Ranjit Kumar who appears to be an eye witness has categorically stated that he has seen the occurrence and when the accused persons surrounded the deceased, he fled away and hid behind the godown and, therefore, the accused persons shot dead the deceased.

Considering that there being cogent material in the case diary with regard to the complicity of the present petitioners, I am not inclined to grant pre-arrest bail to the petitioners. It is, accordingly, rejected.

(Anjana Mishra, J)

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