

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46876 of 2019

Arising Out of PS. Case No.-350 Year-2018 Thana- LALGANJ District- Vaishali

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JAGDISH SAH Son of Late Bhagwat Sah Resident of Village-Jahanabad,
P.S.-Lalganj, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56575 of 2019

Arising Out of PS. Case No.-350 Year-2018 Thana- LALGANJ District- Vaishali

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ARUN RAI S/o Yugeshwar Ray Resident of Village- Jahanabad, P.S.-
Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 46876 of 2019)

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Abhay Kumar Roy

(In CRIMINAL MISCELLANEOUS No. 56575 of 2019)

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Rajeev Nayan, App

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-11-2019 As both the cases arise out of same police station

case number, they are clubbed together and are being disposed

of with this common order.

These applications, for grant of anticipatory bail,
arises out of Lalganj P.S. Case No. 350/18, disclosing offences
under Sections 364, 302, 201, 120-B and 34 of the Indian Penal



Code.

Allegation as per F.I.R is that co-accused Mithun Sahani took the younger brother of the informant with himself and assured to come back very soon but they did not return, thereafter, the informant started searching her brother and went to the house of co-accuse Mithun Sahani but he was not there and his mother told that they will come back but they did not return and, thereafter, the mother of Mithun Sahani also fled away from the village. After some time, Mithun Sahani was arrested, who disclosed the names of petitioners showing their active involvement in the offence.

Submission of learned counsel for the petitioners is that they have been made accused in this case only on the basis of confessional statement of co-accused Mithun Sahani and except that there is nothing against the petitioners.

Learned counsel for the State opposed the prayer for anticipatory bail on the ground that confessional statement of the co-accused shows active involvement of these petitioners in the crime.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners



have to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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