

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71268 of 2019

Arising Out of PS. Case No.-318 Year-2019 Thana- SITAMARHI District- Sitamarhi

1. SHOBHA DEVI Wife o Hari Shankar Rai Resident of Village - Laxmi Nagar, Mehsaul Gott, Baswariya, P.S.- Sitamarhi (Mehsaul O.P.), District- Sitamarhi
2. Laddu Rai Son of Hari Shankar Rai Resident of Village - Laxmi Nagar, Mehsaul Gott, Baswariya, P.S.- Sitamarhi (Mehsaul O.P.), District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Y.C.Verma, Sr. Advocate Pushpendra Kumar Singh
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, A.P.P.
For Informant	:	Mr. Vijay Bhushan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 17-09-2020 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant through video conferencing.

Petitioners apprehend their arrest in connection with Sitamarhi P.S. Case No. 318/2019 registered for the offences punishable under Sections 302 and 120B of the Indian Penal Code.

Learned counsel of the petitioners submits that the story, as propounded by the prosecution, appears to be improbable because in broad day light, no woman would go to participate in such type of occurrence. Learned counsel of the



petitioners, further, submits that the very face of written report reflects about false implication of petitioners because in second paragraph of written report, informant claims that when he reached at the place of occurrence, he saw the other accused assaulting the deceased and, thereafter, the informant claims about the participation of the petitioners.

I am not, at all, convinced with the aforesaid submission of learned counsel of the petitioners and taking note of this fact that, according to the prosecution, the petitioners also participated in the alleged crime, I am not inclined to extend the privilege of anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners stands rejected.

(Hemant Kumar Srivastava, J)

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