

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7766 of 2020**

Arising Out of PS. Case No.-158 Year-2018 Thana- CHAPRA TOWN
District- Saran

- =====
1. Binod Sah @ Binod Kumar S/o - Late Ramlalan Sah Resident of Village- Mauna Masjid, Katahari Bagh, P.S.- Chapra Town, Distt- Saran at Chapra
 2. Raghunandan Sah @ Raghunandan Singh @ Raghunandan Prasad S/o - Late Ramlalan Sah Resident of Village- Mauna Masjid, Katahari Bagh, P.S.- Chapra Town, Distt- Saran at Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate
For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have renewed their prayer for anticipatory bail in connection with Chapra Town P.S. Case No. 158 of 2018, having earlier been rejected by order dated 13.03.2019 in Cr. Misc. No. 75610 of 2018 for the alleged offences under Sections 302/34 of the Indian Penal Code .

3. It is submitted that the petitioners have been falsely implicated in connection with alleged murder of the informant's father. It is submitted that in a subsequent development, the trial of other co-accused Virendra Sah and Dhurendra Sah @ Dharmendra Sah has been separated and is proceeding, in which



the informant and his brother have both turned hostile. Moreover, the prosecution has filed a petition for giving up examination of witness Maya Devi. It is therefore submitted that the prosecution would ultimately fail.

4. Learned APP on the other hand appear and opposes the petition, submitting that the F.I.R. has been lodged almost two years ago and the petitioners have not yet surrendered in order to face trial, rather they appear to be absconding.

5. Having regard to the nature of accusations, gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The petition stands dismissed.

(Vikash Jain, J)

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