

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.12688 of 2020

Arising Out of PS. Case No.-176 Year-2019 Thana- GANGABRIDGE District- Vaishali

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1. SUNIL RAI, aged about 27 years (Male), son of Bipat Rai.
 2. Raj Kumar Rai, aged about 30 years (Male), son of Raj Narayan Rai.
 3. Nanhak Rai @ Nanhaki Rai @ Indrajeet Rai, son of Raj Narayan Rai.

All resident of Village - Saifpur, P.S.- Ganga Bridge, District – Vaishali.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 05-02-2021 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Ganga Bridge P.S. Case No.176 of 2019, registered for the offence under Section 302/34 of the Indian Penal Code.

It has been alleged that on 08.10.2019 the younger brother of the informant namely, Vikash Kumar was moving in fair but, he did not return till 12:04 hours in the night. Whereafter, the informant made a call on his mobile, upon which, his brother replied he and other co-villagers were at



pillar no.9 of Ganga Bridge and also stated that he would return after sometime. It has also been alleged that when the brother of the informant did not return, the informant reached at pillar no.9 and saw that his brother was standing with other villagers namely, Ajay Rai, Sunil Rai (petitioner no.1), Raj Kumar Rai (petitioner no.2), Nanhak Rai (petitioner no.3), Sanjay Rai and Pappu Rai and when informant told him to come at home, Sanjay Rai told the informant that his brother will return after some time, then the informant went to his house. However, in the night the brother of the informant did not return and in the next morning, the dead body of the brother of the informant was lying in the water. Thereafter, the dead body took out from the water and in that course the *sandal* of the Ajay Rai was also found in the water.

Learned counsel for the petitioners submits that there is no material to show the involvement of the petitioners but, have wrongly been trapped in the present case.

From perusal of paragraph nos. 65 and 66 of the case diary, it appears that there was a dispute between the parties with respect to illegal trading of *Ganja* and on that account the dispute was going on since earlier, which is the reason for death of the victim.



Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail on behalf of the petitioners is rejected.

(Shivaji Pandey, J)

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