

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65408 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- BELA District- Sitamarhi

1. SHATRUGHNA SAH Son of Ramashish Sah Resident of Village- Vishnupur Tole, Teliyahi, P.S.- Bela, District- Sitamarhi.
2. Shailendra Kumar S/o Ramashish Sah Resident of Village- Vishnupur Tole, Teliyahi, P.S.- Bela, District- Sitamarhi.
3. Anil Kumar S/o Shatrughna Sah Resident of Village- Vishnupur Tole, Teliyahi, P.S.- Bela, District- Sitamarhi.
4. Rajeshwar Sah @ Rameshwar Sah Son of Nathuni Sah Resident of Village- Vishnupur Tole, Teliyahi, P.S.- Bela, District- Sitamarhi.
5. Kameshwar Sah Son of Late Bhola Sah Resident of Village- Vishnupur Tole, Teliyahi, P.S.- Bela, District- Sitamarhi.
6. Shashikant Sah @ Shashi Kant Kumar Son of Kameshwar Sah Resident of Village- Vishnupur Tole, Teliyahi, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, all the F.I.R. named accused persons, including these petitioners, killed brother of the informant near brick kiln.

It is submitted on behalf of petitioners that due to land dispute between the parties, a proceeding under Sections 107 and 144 of the Code of Civil Procedure is already going on, but the informant has falsely implicated petitioners in the instant



case. Informant is not eye-witness of the occurrence. It is further submitted that during course of investigation, no evidence has come against petitioners to show their complicity in the aforesaid crime. In fact, one of the co-accused, who was arrested during course of investigation, has specifically stated that co-accused Gautam Rai shoot the deceased.

However, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that there is specific and direct allegation against these petitioners of committing the murder of brother of informant due to land dispute.

Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

