

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62005 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- NARPATGANJ District- Araria

1. SAINA KUMAR DAS @ SAINA DAS Son of Kartik Chandra Das Resident of Village - Bela, Bangali Tola, Ward No. 03, P.S.- Narpatganj, Distt- Araria.
2. Ram Bilash Das Son of Kartik Chandra Das Resident of Village - Bela, Bangali Tola, Ward No. 03, P.S.- Narpatganj, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Ms.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Narpatganj (Basmatiya) Police Station Case No. 281 of 2019, disclosing offences under Sections 302/120-B/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with 66 other accused persons named in the First Information Report, killed the father and brother of the informant.

Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case inasmuch as there was previous enmity between co-accused Ram Chandra Ram and the informant, due to which co-accused Ram Chandra Ram and others have committed the alleged offence and the name of the petitioners have unnecessarily been dragged in this case, being the co-villagers. He further submits that similarly situated co-accused persons have been granted anticipatory bail by this Court, by orders, dated 16.07.2019 and 30.09.2019, passed in Criminal Misc. Nos. 43593 and 62137 of 2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no overt act has been alleged against the petitioners and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Narpatganj (Basmatiya) Police Station Case



No. 281 of 2019, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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