

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14227 of 2020

Arising Out of PS. Case No.-345 Year-2019 Thana- CHOUTARWA District- West
Champaran

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1. RAHUL KUMAR @ BILLU,
 2. Rajan Kumar,
Both Sons of Pramod Prasad @ Pramod Kumar,
 3. Pramod Prasad @ Pramod Kumar, Son of Late Ram Prasad Prasad @ Ram
Prasad Sah,
All Residents of Village - Lagunaha, P.S. - Chautarwa, District - West
Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-09-2020 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceeding.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Section 302/34 of
the Indian Penal Code.

Prosecution case in brief is that on 30.12.2019, the
husband of the informant namely Ajit Kumar Jayswal @ Pappu
Kumar Jayswal was going his Fulwari (Garden) land. The
informant further stated that five persons were sitting earlier
near the Dhankutti Mill of Hosil pressed in which three persons
were taken Kulhari in which first miscreant namely Pramod



Prasad, second Rahul Kumar @ Bille and Rajan Kumar, Kaushilya Devi and Kajal Devi all the five persons killed the husband of the informant by Kulhari (Tangi) on head, neck and kanpatti, the husband of the informant came at Bagaha Govt. Sub-Divisional Hospital by police. Which was refereed at M.J.K. Hospital, Bettiah where the doctor declared dead.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them. They have falsely been implicated in this case. There is land dispute between the parties. Title Suit No. 20/2017 (Pramod Kumar Vs. Ganesh Tiwary & others) is pending in the court of the learned Munsif, Bagaha (West Champaran). The petitioners have got clean antecedent which is mentioned in para-3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition of the petitioners.

From perusal of the records including the case diary, it is apparent that there is direct and specific allegation for committing murder and under a planned conspiracy. There is sufficient material available against the petitioners.

In the aforesaid facts and circumstances, I am not inclined to enlarge the petitioners on bail. Accordingly, the



prayer for anticipatory bail of the petitioners are rejected in connection with Chautarwa P.S. Case No. 345 of 2019 from the Court of learned A.C.J.M.-1st, Bagha (West Champaran).

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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