

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29083 of 2020

Arising Out of PS. Case No.-218 Year-2008 Thana- AHIYAPUR District- Muzaffarpur

1. Chandan Ram, S/o Vipat Ram, Resident of Village-Patiyasha, P.S.-Ahiyapur, District-Muzaffarpur.
2. Raj Kumari Devi, W/o Vipat Ram, Resident of Village-Patiyasha, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : Mr. Anant Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2020 Heard learned counsel for the petitioners and the State through Video Conferencing.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 302, 120B and 201/34 of the Indian Penal Code.

As per the prosecution case, these petitioners along with other co-accused persons committed the murder of the deceased.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case and the entire prosecution case is highly unbelievable and improbable, in view of the fact that, in spite of the previous enmity, the son



of the informant has gone to the party of the petitioner. It is further submitted that there is no eye witness and moreover, other co-accused persons have already been acquitted in Sessions Trial No. 880 of 2008 and Session Trial No. 594 of 2009. It is stated in paragraph no.3 of the bail petition that petitioners have got clean antecedent.

Learned counsel for the State, on the other hand, opposes the prayer for bail and submits that the bail application has been moved before this Hon'ble Court after a lapse of more than 12 years and there is no satisfactory explanation for the same. Moreover, the case of an accused has to be considered individually on the basis of evidence available in his case.

In the facts and circumstances of the case and considering the delay in moving the bail application for which no satisfactory explanation has been given, I am not inclined to grant anticipatory bail to the petitioners.

Hence, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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