

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32662 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- GOPALPUR District- Bhagalpur

1. SHANKAR DOM Son of Bilash Dom Resident of Village- Abhiya, P.S.- Gopalpur, District- Bhagalpur.
2. Pramod Dom Son of Hakim Dom @ Hakim Malik Resident of Village- Latti- Pakar, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 302, 379/34 of the Indian
Penal Code.

Prosecution case is that informant, Vikash Kumar has
filed written report that above named accused petitioners have
murdered his father while they were playing cards in the litchi
garden on 29.02.2020. It is further alleged that petitioners have
taken three silver rings from the father of the informant.

It has been submitted on behalf of the petitioners that
petitioners are innocent and have been falsely implicated in this



case. He submits that there is no overt act against the petitioners, no eye witness to the alleged occurrence and only suspicion, they have been made accused. He submits that no independent witnesses have supported the prosecution case. He further submits that nothing has been recovered from the possession of the petitioners and they are languishing in judicial custody since 30.04.2020.

However, learned APP for the State vehemently opposes the prayer for bail and submits that there is direct allegation on the petitioners. Case has been charge-sheeted and in case diary of para-2, 3, 7, 8, 9 and 31 it reveals that deceased was brutally assaulted which caused his death.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their payer for bail is rejected at present in connection with Gopalpur P.S. Case No. 63 of 2020 pending before the court of the learned A.C.J.M. 1st , Naugachiya, Bhagalpur.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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