

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13154 of 2021

Arising Out of PS. Case No.-232 Year-2020 Thana- DAUDPUR District- Saran

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1. AKILANAND BHARTI @ AKILA BHARTI Son of Late Dinanath Bharti, Resident of Village - Jaitpur, Tiwari Tola, P.S.- Daudpur, Dist.- Saran at Chapra.
 2. Jitendra Kumar Bharti @ Jitendra Bharti Son of Akilanand Bharti @ Akila Bharti, Resident of Village - Jaitpur, Tiwari Tola, P.S.- Daudpur, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Chandra Mohan Jha
For the Opposite Party/s :	Mr.Harish Kumar
	Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

- 3 22-02-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Daudpur P.S. Case No. 232 of 2020 registered for offence punishable under sections 302, 201/34 of the Indian Penal Code.

As per F.I.R., a land dispute was going on between the father of the informant Rajeshwar Bharti and the present petitioner Akila Bharti, who is uncle of the informant. Some



altercation took place on 30.09.2020 between the deceased and the petitioners. This incident was informed to the police. On 01.10.2020, the petitioners along with other accused persons came to the house of the informant and threatened to face the dire consequences if he fails to transfer the land in the name of the present petitioners. Soon thereafter, the father of the informant became traceless. Sangita Devi, the sister of the informant, transmitted information to the informant about missing of his/her father. The informant reached from Delhi to his village on 03.10.2020 and started searching his father. On 05.10.2020, the dead body of the deceased was recovered from a well.

The learned counsel for the petitioners has submitted that there was a prolonged land dispute between the deceased and the petitioner, who is brother of the deceased and due to this prolonged enmity, the petitioners have falsely been implicated.

On the other hand, the learned Additional Public Prosecutor, assisted by the learned counsel for the informant, has submitted that post mortem report itself shows that in inquest report, injuries were found on the person of the dead body of the deceased. He has also submitted that although during investigation, it has emerged that the deceased was



addicted to some intoxicant, but soon before his death, he was threatened by the accused persons to transfer his land in their favour and for that, already an information has been given six days before of the recovery of the dead body in the police station, i.e on 30.09.2020, about the acts of the petitioners and other accused persons.

In my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

Mahesh/Kamlesh

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