

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9822 of 2022

Arising Out of PS. Case No.-10 Year-2020 Thana- AUANGARI District- Nalanda

1. DINESH PRASAD Son of Late Daroga Mahto Resident of Village - Sultanpur, P.s.- Aungari, Distt.- Nalanda.
2. Santosh Kumar Son of Braj Kishor Prasad Resident of Village - Sultanpur, P.s.- Aungari, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar Singh
For the Opposite Party/s	:	Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-09-2022 Heard learned counsel for the petitioners and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Aungari P.S. Case no. 10 of 2020 instituted for the offence under Section 302/34 of the Indian Penal Code.

As per allegation in the FIR, several accused persons including the petitioners taken away the brother of the informant for working as a labourer in a function of Barat and under a conspiracy they killed him. By a vehicle Bolero bearing Registration No. BR01PG-8597, they send the dead body of informant's brother to his village.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. They have got no criminal antecedent. Several eye witnesses have disclosed that after performing marriage when they tried to awake the deceased, he did not get up thereafter he was taken to Ekangarsarai for treatment, where doctor has de-



clared him as brought dead. There is no specific allegation against the petition-
ers. It is further submitted that similarly situated co-accused persons have al-
ready been granted anticipatory by this Court vide order dated 03.02.2022
passed in Cr. Misc. No. 22324 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and cir-
cumstances of the case as stated above, this Court is inclined to enlarge the peti-
tioners on bail. The petitioners are directed to surrender in the Court below
within a period of four weeks from today and in the event of their arrest or sur-
render in connection with Aungari P.S. Case no. 10 of 2020, they will be enlarged
on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two
sureties of the like amount each to the satisfaction of learned Additional Chief Ju-
dicial Magistrate, Hilsa, Nalanda subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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