

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22324 of 2021

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

1. AMIT KUMAR Son of Braj Kishore Prasad @ Brij Kumar Resident of Village- Sultanpur, P.S.- Aungari, District- Nalanda.
2. Deepak Kumar Son of Dinesh Prasad Resident of Village- Sultanpur, P.S.- Aungari, District- 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.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-02-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

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 to this village.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. He has got no criminal antecedent. Several eye witnesses have disclosed that after performing marriage when they try to awake the deceased, but he did not get up thereafter he was taken to Ekangarsarai for treatment where doctor has declared him as brought dead. There is no specific allegation against the petitioner.

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

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners 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 surrender 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 Judicial 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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