

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18134 of 2022

Arising Out of PS. Case No.-216 Year-2021 Thana- BAHERI District- Darbhanga

1. SANJAY MANDAL SON OF LATE RAJA RAM MANDAL R/O VILLAGE- BAGHAUNI, P.S.- BAHERI, DISTRICT- DARBHANGA
2. AMARNATH MANDAL SON OF LATE RAJA RAM MANDAL R/O VILLAGE- BAGHAUNI, P.S.- BAHERI, DISTRICT- DARBHANGA

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Baheri P.S. case No. 216 of 2021 registered for the offences punishable under Sections 302, 201 & 498A/34 of the Indian Penal Code pending in the Court of learned A.C.J.M.-VIII, Darbhanga.



The petitioners in association of other co-accused is said to have strangled to death the sister of the informant.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case merely on suspicion. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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