

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18199 of 2022

Arising Out of PS. Case No.-281 Year-2019 Thana- NARPATGANJ District- Araria

1. Prakash Das son of Shiv Charan Das @ Sri Chand Das @ Sri Charan Das Resident of Ward No.-03, Refugee Colony, P.S. - Basmatiya Narpatganj, District - Araria.
2. Shiv Charan Das @ Sri Chand Das @ Sri Charan Das Son of Guneshwar Das Resident of Ward No.-03, Refugee Colony, P.S. - Basmatiya Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Sharda Nand Mishra, Advocate Mr. Dhanraj Krmar Gupta, Advocate Mr. Surya Nandan Kumar, Advocate
For the Informant	:	Mr. Neeraj Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 19-10-2022 Heard learned counsel for the petitioners and learned
A.P.P for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

The petitioners seek bail in connection with a case registered for the offences punishable under Sections 302/120(B) & 34 of the Indian Penal Code.

Allegation is of commission of assaulting to the father and brother of the informant which resulted in their death.

Learned Counsel for the petitioners submit that the petitioners are innocent and they have falsely been implicated in this case and they are not named in the F.I.R. It is also submitted that another co-accused, namely, Lakhan Chand Das has been



granted anticipatory bail *vide* order dated 17.01.2020 passed in Criminal Miscellaneous No. 72118 of 2019 and some of the F.I.R. named accused persons were allowed anticipatory bail by a Co-ordinate Bench of this Court. It is further submitted that the petitioners are in custody since 03.02.2022, charge-sheet has been submitted and petitioner no. 1 has clean antecedent whereas, the petitioner no. 2 has one criminal antecedent.

Learned A.P.P for the State and learned counsel for the informant vehemently opposes the prayer for bail of the petitioners and learned counsel for the informant has submitted that the petitioners' name has come in this case during the course of investigation and one of the witnesses supported the case of the prosecution.

Considering the facts and circumstances of this case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 281 of 2019.

(Khatim Reza, J)

Annpurna/-

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