

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30165 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- MUSAHARI District- Muzaffarpur

1. JITENDRA KUMAR S/o Suresh Thakur R/o village- Binda, P.S.- Mushahari, District- Muzaffarpur.
2. CHINTU KUMAR S/o Suresh Thakur R/o village- Binda, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Mushahari P.S. Case No.100 of 2021, registered for the offences
punishable under Sections 147, 149, 341, 323, 452, 307 and 302
of the Indian Penal Code.

The petitioners and other co-accused persons are said
to have assaulted the son of the informant resulting into his
death.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. The petitioners have got no criminal antecedent as



stated in paragraph-3 of the bail application. It is further submitted that petitioners and informant are neighbour and due to previous land dispute and local village politics, the entire family members of the petitioners have been implicated in the present case. It is submitted that there is case and counter case between the parties and on the alleged date of occurrence, the petitioners were not present in their house. It is also submitted that the cause of death of the deceased was due to septic-semic shock.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners by submitting that the postmortem report supports the prosecution case.

Taking into consideration the facts and circumstances of the case, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Anjani Kumar Sharan, J)

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