

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38686 of 2022

Arising Out of PS. Case No.-149 Year-2021 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

-
1. CHAMAKLAL MALLIK Son of Late Sunder Mallik @ Late Paltyu Mallik Resident of Village - Sultanganj, near Murarka College, P.S.- Sultanganj, Distt.- Bhagalpur.
 2. Gopal Mallik Son of Chamaklall Mallik Resident of Village - Sultanganj, near Murarka College, P.S.- Sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad
For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to remove
the defects within four weeks.

The petitioners apprehend their arrest in a case registered
for the offence punishable under sections 302, 201/34 of IPC.

Allegedly, the petitioners alongwith other accused
persons killed the son of the informant.

It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case. No such
occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that there is no eye witness in the present case. Petitioners have been made accused in the present case merely on the basis of suspicion. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that on the perusal of the para-14 of case diary it is clear that the murder took place in orchard of one Babua Singh, and thereafter the dead body of the deceased was thrown to the railway track.

Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge the petitioners named above on bail. The prayer for grant of anticipatory bail on behalf of the petitioners is rejected.

This instant application is dismissed.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

