

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50693 of 2021

Arising Out of PS. Case No.-72 Year-2018 Thana- MANPUR District- Nalanda

1. PUSPA DEVI Wife of Abhimanyu Prasad Resident of Village- Dhanuki, P.S.- Manpur, District- Nalanda.
2. Abhimanyu Prasad Son of Late Kalicharan Prasad Resident of Village- Dhanuki, P.S.- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-06-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code.

Allegedly, the accused persons named in the FIR under a conspiracy to get the piece of land in their favour have left the mother of the informant, who could not be searched.

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 leveled against the petitioners is not specific rather



general and omnibus in nature. It is submitted that the mother of the informant never resided with the petitioners and she being 80 years old had gone to the village along for doing agriculture work. There is no eye-witness to the alleged occurrence. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that charge sheet has been submitted against the son of the petitioners u/s 364 and 365 of the IPC, the enquiry is going on and there is no trace of the victim.

Having regard to the facts and circumstances of the case, since the enquiry is going on and the victim has not yet been recovered, I am not inclined to enlarge the petitioners named above on anticipatory bail. The prayer for grant of anticipatory bail made on behalf of the petitioners named above is hereby rejected.

However, petitioners are directed to surrender before the learned Court below and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that petitioners are old persons.

(Anjani Kumar Sharan, J)

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