

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54764 of 2021

Arising Out of PS. Case No.-152 Year-2021 Thana- RAXAUL District- East Champaran

1. Hanuman Sah @ Dipu Sah @ Dipu Kumar Son Of Krishna Prasad Resident Of Village- Naga Road, P.S.- Raxaul, District- East Champaran.
2. Krishna Prasad Son Of Late Sunnar Sah Resident Of Village- Naga Road, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State assisted by

learned counsel for the informant.

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

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 328,
302, 420, 406 and 34 of the Indian Penal Code.

As per the F.I.R., petitioner no.1 Hanuman Sah @
Dipu Sah served poisonous cold drink upon the minor son of



the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that on the suspicion petitioners are made accused in the present case and there is no eye witness in the present case. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific overt act against the petitioner no.1.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against petitioner no.2, let the above named petitioner no.2 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Raxaul P.S. Case No. 152 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



So far as Petitioner no.1 is concerned, I am not inclined to enlarge the petitioner no.1 on bail. Accordingly his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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