

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57381 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- GOPALPUR District- Gopalganj

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1. Pankaj Kumar @ Pankaj Rai Son Of Gauri Shankar Rai Resident Of Village - Rajapur Bazar, P.S. - Gopalpur, District - Gopalganj.
 2. Ganpat Thakur Son Of Kanhaiya Thakur Resident Of Village - Rajapur Bazar, P.S. - Gopalpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr. H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-06-2022 Learned counsel for the petitioners submits that during pendency of this application, the police has submitted the final report false against the petitioner no. 1, therefore, he seeks permission to withdraw this application with regard to petitioner no. 1.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 1.

Heard learned counsel for the petitioner no. 2 and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no. 2.

Learned counsel for the petitioner 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 petitioner is apprehending his arrest in a case

registered for the offence punishable under Sections 302, 307, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner is said to have committed murder of the father of the informant.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that there is no eye witness to the present occurrence and only on suspicion, petitioner has been made accused. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that petitioner and other fled away from the place of occurrence.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner no. 2 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Gopalpur P.S. Case No. 74 of 2021.

(Anjani Kumar Sharan, J)

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