

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60842 of 2021**

Arising Out of PS. Case No.-193 Year-2020 Thana- RAGHOPUR District- Vaishali

1. TUNTUN RAI S/o Late Nishi Lal Rai R/o village- Jagdishpur, P.S.- Raghapur, District- Vaishali
2. Guna @ Govind Rai S/o Nakeshwar Rai R/o village- Jagdishpur, P.S.- Raghapur, District- Vaishali
3. Dhanjay Rai S/o Nakeshwar Rai R/o village- Jagdishpur, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 08-08-2022 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioner no.2, Guna @ Govind Rai as he has already been arrested by the police.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Raghapur P.S. Case No.193 of 2020, registered for the



offences punishable under Sections 147, 341, 323, 307 and 302 of the Indian Penal Code.

The petitioners along with other co-accused persons are said to have killed the husband of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submitted the postmortem report supports the prosecution case.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioners no.1 and 3, namely, Tuntun Rai and Dhanjay Rai is rejected.

However, if petitioners no.1 and 3, namely, Tuntun Rai and Dhanjay Rai surrender before the learned court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day



without being prejudiced by this order of rejection considering the fact that there is general and omnibus allegation against the petitioners.

(Anjani Kumar Sharan, J)

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