

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68054 of 2021**

Arising Out of PS. Case No.-173 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

1. APPU KUMAR S/o Kamlesh Kumar R/o village- Chakdoha, P.S.- Makhdumpur (Tehta O.P.), District- Jehanabad.
2. Kamlesh Kumar S/o Bachhu das R/o village- Chakdoha, P.S.- Makhdumpur (Tehta O.P.), District- Jehanabad.
3. Bachhu Das S/o Late Vishnudeo Mochi R/o village- Chakdoha, P.S.- Makhdumpur (Tehta O.P.), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Jha  
For the Opposite Party/s : Md. Aslam Ansari

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

5      27-07-2022                      By order dated 20.05.2022, prayer for anticipatory bail in respect of petitioner no.1, Appu Kumar was permitted to be withdrawn, as prayed for.

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

Petitioners apprehend their arrest in Makhdumpur P.S. Case No.173 of 2021, registered for the offences punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.

The petitioners are said to have killed the sister-in-law (*Nanad*) 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 there is no eye witness in the present case. Only on suspicion, the petitioners have been made accused in this case. It is lastly 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.

By order dated 29.06.2022, case diary and postmortem report were called for. From perusal of the case diary and the postmortem report, it transpires that the postmortem report does not support the prosecution case and there is no material against the petitioners in the case diary to show their involvement in the present case.

Taking into consideration the facts aforesaid, let petitioners no.2 and 3, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with



Makhdumpur P.S. Case No.173 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anjani Kumar Sharan, J.)**

Sanjay/-

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