

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70318 of 2021

Arising Out of PS. Case No.-161 Year-2021 Thana- BANIAPUR District- Saran

1. AKSHAY KUMAR Son of Triloki Nath Singh Resident of Village - Mangraila, P.S.- Baniyapur, Distt.- Saran at Chapra
2. Abhay Kumar Son of Triloki Nath Singh Resident of Village - Mangraila, P.S.- Baniyapur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kumari

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Baniyapur P.S. Case no. 161 of 2021 instituted for the offence punishable under Section 302 of the Indian Penal Code.

As per allegation in the FIR, six named accused persons including the petitioners committed marpit with the deceased as a result of which she fell down on the ground and died

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed



no offence. Deceased is a old lady and she fell herself on the ground and died. From perusal of the postmortem report, it appears that doctor has not found any external injury on the body of the deceased. General and omnibus allegation is levelled against the petitioners. They have got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Baniyapur P.S. Case no. 161 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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