

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5796 of 2023

Arising Out of PS. Case No.-20 Year-2022 Thana- CHARPOKHARI District- Bhojpur

1. SANTOSH KUMAR SINGH @ SANTOSH YADAV Son of Ram Chand Yadav R/o Village - Kharauni Tola, P.S.- Charpokhari, District - Bhojpur.
2. Umesh Kumar @ Umesh Yadav Son of Krishna Yadav R/o Village - Kharauni Tola, P.S.- Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Charpokhari P.S. Case No.20 of 2022, registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

Accusation against the petitioners and other co-
accused persons is of killing the brother of the informant.

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



submitted that there is no eye witness of the occurrence and only on suspicion, the petitioners have been made accused. It is also submitted that chargesheet has been submitted against one of the co-accused persons under Sections 302/34 of the Indian Penal Code. It is further submitted that no independent witness has supported the prosecution case and there is no material against the petitioners in the case diary.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners by submitting that there is ample evidence in the case diary against the petitioners.

Taking into consideration the nature of offence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected.

However, if petitioners 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.

(Anjani Kumar Sharan, J)

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