

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74812 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- MAHARAJGANJ District- Siwan

SHRAWAN PRASAD @ SHRAWN PRASAD Son of Late Inar Prasad
Resident of Village - Balia, P.S.- Maharajganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 5232 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- MAHARAJGANJ District- Siwan

BIRENDRA PRASAD S/o Late Achhelal Prasad R/o Village- Baliya, P.S.-
Maharajganj, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74812 of 2022)

For the Petitioner/s : Mr. Mahesh Narayan Parwat, Sr. Adv.
Mr. Praveen Prabhakar, Adv.

For the Opposite Party/s : Mrs. Anita Kumari

(In CRIMINAL MISCELLANEOUS No. 5232 of 2023)

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-06-2023 As both these applications arise from the same P.S.

Case no., with consent of parties they have been heard together
and disposed of by this common order.

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

The petitioners are apprehending their arrest in a



case registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

As per the prosecution case, all the accused persons in collusion with each other had killed the husband of the informant by causing fire arms injury.

Learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is no eye witness supported the prosecution case only on suspicion the petitioners have been made accused in this case. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the



satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Maharajganj P.S. Case No.135/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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