

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12981 of 2023

Arising Out of PS. Case No.-14 Year-2020 Thana- BELHAR District- Banka

1. Diwakar Singh @ Divakar Prasad Singh Son Of Late Sahdev Prasad Singh R/V- Hatiya, P.S.- Belhar, District- Banka
2. Antina Kumar @ Amresh Kumar Son Of Diwakar Singh @ Diwakar Prasad Singh R/V- Hatiya, P.S.- Belhar, District- Banka
3. Lalu Kumar @ Nilesh Kumar Son Of Diwakar Singh @ Diwakar Prasad Singh R/V- Hatiya, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, allegation against the petitioners is that they along with other co-accused, due to land dispute, have committed murder of the husband of the informant by causing firearm injury.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not



specific rather general and omnibus in nature. He submits that after investigation police has submitted final form against the petitioners but the learned court below differed the final form and taken cognizance against the petitioners. He further submits that neither the informant is an eye witness of actual killing of her husband nor any one has come forward as an eye witness. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Belhar P.S. Case No.14 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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