

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11960 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- PANCHRUKHI District- Siwan

1. PRITAM KUMAR @ GUDDU SINGH S/o Late Sudhakar Singh R/o Village- Ukhai Purab Tola, P.S.- Sarai O.P., Distt- Siwan.
2. Chetan Kumar S/o Dayanand Singh R/o Village- Ukhai Purab Tola, P.S.- Sarai O.P., Distt- Siwan.
3. Pramod Kumar @ Paramod Kumar Singh S/o Mukhtar Singh R/o Village- Ukhai Purab Tola, P.S.- Sarai O.P., Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Adv.
For the Opposite Party/s	:	Mr.Vinod Shanker Modi, APP
For the Informant	:	Mr.Chandra Shekhar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

A supplementary affidavit has been filed by learned counsel for the petitioners in the Court. The same is taken and kept on record.

Petitioners apprehend their arrest in connection with Pachrukhi P.S. Case No.24/2022, registered for the offence punishable u/s 341/ 323/ 364/34 of the IPC and later on sections 302/201 IPC was added.

As per the prosecution case, the son of the informant was assaulted, kidnapped and killed by the F.I.R. named accused



persons including the petitioners.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no eye-witness to the alleged occurrence and only on suspicion, the name of petitioners transpired in this case. During investigation, the independent witnesses have not supported the prosecution case. It is further submitted that the deceased was a notorious criminal and he was accused in several cases and due to this reason, no one used to raise objection against him. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail but fairly submitted that some of the witnesses have supported the prosecution case and some have not supported the prosecution case.

Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.



This application is accordingly dismissed.

However, petitioners are at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, without being prejudiced of the dismissal of this case.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

