

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14900 of 2023

Arising Out of PS. Case No.-549 Year-2022 Thana- BIDUPUR District- Vaishali

1. Vikash Kumar S/O Dahaur Ray Resident Of Village- Chak Dhabaulisahdulpur, P.S.- Bidupur, Dist- Vaishali
2. Ravi Kumar S/O Dahaur Ray Resident Of Village- Chak Dhabaulisahdulpur, P.S.- Bidupur, Dist- Vaishali
3. Abdhesh Kumar @ Awadhesh Kumar S/O Dahaur Ray Resident Of Village- Chak Dhabaulisahdulpur, P.S.- Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2023 Heard learned 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 Sections 302, 201 and 120(B)/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, the informant got information that dead body of his son was laying near Railway Gumti and he went on the place of occurrence and identified the dead body and he raised suspicion against the petitioners because his son used to protest the accused persons who were engaged in the business of illegal wine.



Learned 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 in the present case only on suspicion the petitioners have been made accused in the present case. He submits that petitioners have never engaged in the business of illegal wine but they have been falsely implicated because the petitioners are co-villagers of informant and their field are situated side by side and information is claiming that the petitioners have encroached his land. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the allegation levelled as the petitioners is serious in nature. Hence, they do not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioners on bail in connection with Bidupur P.S. Case No. 549/2022. Accordingly, their prayer for anticipatory bail is hereby rejected.

However, if the petitioners surrender before the learned Court below within a period of six weeks from today and seek regular bail, the learned Court below would pass the



order, preferably, on the same day, without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

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