

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19417 of 2023

Arising Out of PS. Case No.-570 Year-2022 Thana- DHANARUA District- Patna

1. TANNU KUMAR S/O Shri Bijendra Prasad R/O Village- Dubhara, P.O- Nadpura, P.S-Dhanarua, District- Patna Bihar-804431.
2. Mukesh Kumar S/O Shri Bijendra Prasad R/O Village- Dubhara, P.O- Nadpura, P.S-Dhanarua, District- Patna Bihar-804431.
3. Guddu Kumar S/O Shri Bijendra Prasad R/O Village- Dubhara, P.O- Nadpura, P.S-Dhanarua, District- Patna Bihar-804431.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Arbind Kumar, Advocate
For the State	:	Ms. Anita Kumari, APP
For the Informant	:	Mr. Vijay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant.

Petitioners apprehend their arrest in connection with Dhanarua P.S. Case No.570 of 2022, registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Accusation against the petitioners is of killing the son of the informant.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Petitioners have got one criminal antecedent as stated



in paragraph-3 of the bail petition. It is further submitted that petitioner no.3 is a handicapped person (Annexure-6 to the bail petition).

Learned APP for the State as well as learned counsel for the informant opposed the prayer for grant of anticipatory bail to the petitioners by submitting that petitioners are the main assailants and postmortem report supports the prosecution case. It is also submitted that processes under Sections 82 and 83 Cr.P.C. have already been initiated.

Considering the fact that petitioners are the main assailants, 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 of rejection considering the fact that petitioner no.3 is a handicapped person.

(Anjani Kumar Sharan, J)

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