

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16200 of 2022**

Arising Out of PS. Case No.-602 Year-2021 Thana- AKBARPUR District- Nawada

1. Deepak Kumar S/O Jitendra Rajvanshi R/O Village- Suryapura, P.S.- Akbarpur, District- Nawada
2. Nitish Kumar S/O Krishna Rajvanshi R/O Village- Suryapura, P.S.- Akbarpur, District- Nawada
3. Ajit Rajvanshi S/O Baudhu Rajvanshi R/O Village- Suryapura, P.S.- Akbarpur, District- Nawada
4. Suraj Kumar S/O Mahendra Ram R/O Village- Suryapura, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      09-01-2023                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects, if any, within three weeks.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Petitioners are said to have assaulted the mother of the informant by means of lathi, danda as a result of which she fell down on the ground and became unconscious and died.

Learned counsel for the petitioners submits that the petitioners is innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is specific allegation



against co-accused Saurabh Kumar. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that this is a case of murder and there is direct allegation of assault, resulting in death of injured mother of the informant against the petitioners in the FIR. Witnesses have supported the complicity of the petitioners in the alleged occurrence.

Considering the nature of offence, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Akbarpur P.S. Case No. 602 of 2021.

However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioners are co-villagers and there is no motive to assault the mother of the informant.

devendra/-

**(Anjani Kumar Sharan, J)**

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