

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18393 of 2023

Arising Out of PS. Case No.-664 Year-2022 Thana- GARKHA District- Saran

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1. Awadhesh Mahto Son Of Mohan Mahto Resident Of Village- Shripal Basant Noniya Toli, Ps- Garka , Distt- Saran
 2. Anand Mahto Son Of Late Rajendra Mahto Resident Of Village- Shripal Basant Noniya Toli, Ps- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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 committed murder of the son of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is political rivalry between both the parties due to Panchayat Election, as such, no offence is made out against the petitioners under Sections 302/34 of the IPC. He further submits that petitioner has no criminal



antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there are specific allegations against the petitioners in the FIR.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Garkha P.S. Case No. 664 of 2022.

However, if the petitioners surrender before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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