

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24285 of 2023

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

1. GHUGHALI MAHTO S/O LATE DHUPA MAHTO R/O Village- Shripal Basant, P.S- Garkha, Distt.- Saran at Chapra.
2. Naresh Mahto S/O Late Siya Ram Mahto R/O Village- Shripal Basant, P.S- Garkha, Distt.- Saran at Chapra.
3. Bigan Mahto S/O Bunilal Mahto R/O Village- Shripal Basant, P.S- Garkha, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in Garkha P.S. Case No. 664 of 2022 registered for the offences punishable under Section 302/34 of the Indian Penal Code pending in the Court of learned Judicial Magistrate Saran at Chapra.

3. As per the prosecution case, the petitioners along with other accused persons are said to have committed murder the son of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



there is enmity between the parties due to election of panchayat. He further submits that there is no eye witnesses in the present case, only on the basis of suspicion petitioners are made accused in the present case. The petitioners have no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioners are involved in the present case, it is clear from the impugned order itself. Hence, they does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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

