

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29219 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- VAISHALI District- Vaishali

1. RAMCHANDRA THAKUR S/o Late Jagdhari Thakur R/o village- Jarang Rampur, P.S.- Vaishali (Belsar O.P.), District- Vaishali
2. Anil Thakur @ Anil Kumar Vishwakarma @ Anil Sharma S/o Ramchandra R/o village- Jarang Rampur, P.S.- Vaishali (Belsar O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Dr. Bipin Chandra
For the Opposite Party/s	:	Ms Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 09-01-2023 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard Mr. Yogesh Chandra Verma, learned Sr. Counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324 and 302 of the Indian Penal Code, registered in connection with Vaishali (Belsar O.P.) P.S.Case No. 393 of 2021.

The informant Ahilya Devi is the mother-in-law of the deceased Shashi Kant Vishwakarma. She has mentioned that there was land dispute between the accused persons and her son-



in-law and they had committed the murder of her son-in-law and daughter by slitting their throats by sharp-edged weapon. When she went there, she saw the dead-body of her daughter and son-in-law.

Mr. Yogesh Chandra Verma, the learned Senior Counsel for the petitioners, has submitted that the informant is not the eye-witness of the case. None had seen the occurrence and the petitioners have falsely been implicated in this case only on the basis of suspicion. He has submitted further that petitioner no.1 is 71 years old man. He has also submitted that some accused persons have been granted regular bail. Some medical papers have also been produced in support of the illness of petitioner no.1, whose health condition is precarious and is performing his daily routines on bed.

On the other had, the learned APP has opposed the prayer for anticipatory bail and submitted that during investigation, it has come in the case diary that the co-villagers had seen the accused persons dragging away the deceased. It is submitted further that the accused persons, including the petitioners, committed brutal murder of the lady and her husband for land dispute and they do not deserve the anticipatory bail, to which the learned counsel for the petitioners



has replied that there was no land dispute between the petitioners and the deceased.

In my view, it is not a fit case for anticipatory bail, which is hereby rejected.

The petitioners are directed to surrender before the court below and make a prayer for regular bail, which shall be disposed of on merit without being prejudiced by this order. The regular bail petition of petitioner no.1 shall be disposed of within two days of its filing.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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