

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40963 of 2023

Arising Out of PS. Case No.-884 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. Ram Naresh Thakur Son Of Late Rajendra Thakur Village Panapur Akhtiarpur, Ps- Karja, District- Muzaffarpur
2. Ram Balak Bhagat Son Of Late Hariyar Bhagat Village Panapur Akhtiarpur, Ps- Karja, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 06-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 884 of 2022 dated 30.11.2022 registered for the offence/s punishable u/ss 302 and 120B of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have come in the Bolero of the petitioners and committed murder of the informant's sister and brother-in-law on account of land dispute.



5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Learned counsel has further submitted that the son of the deceased has also filed a complaint case against the present informant. Learned counsel has further submitted that informant is *Mama* of the petitioner no. 1. There is no eyewitness to the alleged occurrence. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that there is specific allegation of committing murder of the informant's sister and brother-in-law. It is also submitted that it is a case of double murder and the said Bolero of the petitioners was used in the alleged crime.

7. Considering the aforesaid facts and the circumstances of the case as well as the heinous nature of offence against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioners are directed to surrender to the Court below within four weeks from the date of this order and the Court below will consider the prayer of bail of the petitioners without being prejudiced by this order.

8. This application stands rejected.

(Chandra Prakash Singh, J)

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