

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41502 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- KURSAKANTA District- Araria

1. Sivanand Sardar Son Of Late Jokhan Sardar Resident Of Village- Shishabari, Ward No. 11, Ps- Kursakanta (Kuari O.P.), District- Araria
2. Shankar Sardar Son Of Sivanand Sardar Resident Of Village- Shishabari, Ward No. 11, Ps- Kursakanta (Kuari O.P.), District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasudeo Ram

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2023

Heard both parties.

2. The petitioners apprehend their arrest in Kursakanta (Kuari OP) P.S. Case No. 45 of 2022, registered for the offences punishable under Sections 328, 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, petitioners along with co-accused assaulted the son of informant and killed him by administering poison.

4. It is submitted by the counsel for petitioners that petitioners have been made accused in this case merely on suspicion. Petitioner no. 1 is father-in-law and petitioner no. 2 is brother-in-law of the deceased. Petitioners bear no criminal



antecedents.

5. Counsel for State vehemently opposed the prayer for bail and submitted that dead body has been recovered from the house of petitioners and as per the postmortem report, the doctor has found the contents of celphos in the person of deceased.

6. Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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