

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45707 of 2023

Arising Out of PS. Case No.-208 Year-2021 Thana- SULTANGANJ District- Patna

1. MD KASIM @ MD TASHU S/O LATE MD. RAJAK R/O VILLAGE-BAHADURPUR JHOPARPATTI, PS. BAHADURPUR, DISTT. PATNA
2. DHARMENDRA SAO S/O LATE JAMINDAR MANDAL @ JAYMANGAL MAHTO R/O VILLAGE- BAHADURPUR JHOPARPATTI, PS. BAHADURPUR, DISTT. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. It is alleged that on 08.08.2021, son of the informant Bhola Kumar aged about 18 years went along his three friends including these petitioners. It is further alleged that on enquiry, accused persons did not say anything regarding the son of the informant but after extensive search his dead body was found drowned which was later identified by the informant. Informant suspects that these petitioners along with other



accused person killed her son.

4. Learned counsel for the petitioners submits that informant is not an eye witness of the occurrence and the only allegation against these petitioners is that they had taken the son of the informant. It is further submitted that similarly situated co-accused has already been granted bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 14.07.2023 passed in Cr. Misc. No. 40158 of 2023.

5. Considering the nature of accusation and the fact that petitioners along with other accused person took the deceased with them and later dead body was found in water, prayer for anticipatory bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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