

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44394 of 2023

Arising Out of PS. Case No.-241 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

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1. Vikrama Yadav @ Vikrama Rai S/O Late Chanar Yadav R/O Village-
Dhangadahan, Ps. Dumariyaghat, Dist. East Champaran
 2. Pawan Yadav @ Puwan Yadav S/O Vikrama Yadav @ Vikrama Rai R/O
Village- Dhangadahan, Ps. Dumariyaghat, Dist. East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No.III, Adv.
For the Opposite Party/s	:	Mr. Kanhaiya Kishore, APP
For the Informant	:	Mr. Piyush Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in
Dumariyaghat P.S. Case No. 241 of 2022 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code pending in the Court of learned Chief Judicial Magistrate,
Motihari, East Champaran.

3. As per the prosecution case, it is alleged that the
petitioners along with other accused persons have killed the
informant's husband due to some old dispute.

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



merely on the basis of suspicion the petitioners have been made accused in the present case. He further submits that there is no eye-witness in the present case. The petitioners have no criminal antecedents as mentioned in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposed prayer for anticipatory bail and submitted that the petitioners are also involved in the present case. Hence, they do not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, 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, considering the fact that the petitioners have no criminal antecedent.

(Anjani Kumar Sharan, J)

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