

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49489 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- BELSAND District- Sitamarhi

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1. AWINASH KUMAR @ AWINASH THAKUR @ AVINASH KUMAR son of Rajeshwar Thakur Village- Belsand Ps- Belsand Dist- Sitamarhi
 2. Rajeshwar Thakur son of Bhikhari Thakur Village- Belsand Ps- Belsand Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashhar Mustafa
For the Opposite Party/s	:	Mr. Bharat Bhushan
	:	Mr. Ranvijay Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, all the accused persons including the petitioners are said to assaulted the brother and father of the informant. During the treatment the father of the informant died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He further submits that there is only allegation



against the petitioners is that they have caught hold the father of the informant. He submits that there is specific allegation against the co-accused Hitiya Devi @ Rita Devi. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the informant opposes the prayer for bail and submits that petitioners are also involved in this case. Hence, they do not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances and the fact that petitioners had only caught hold the deceased, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Belsand P.S. Case No.10/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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