

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48608 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- PURNEA SADAR District- Purnia

1. Anil Rishi @ Anil Kumar Rishi Son Of Late Duarik Rishi Resident Of Village - Diwanganj Maihuua Tola, Police Station - Sadar (Mufassil), District - Purnea.
2. Prakash Rishi Son of Late Duarik Rishi Resident of Village - Diwanganj Maihuua Tola, Police Station - Sadar (Mufassil), District - Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Hussain
	:	Mr.Pankaj Kr. Sinha
For the Opposite Party/s	:	Mrs.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have prayed for bail in connection with Sadar (Mufasil) P.S. Case No. 21 of 2021 instituted for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

Prosecution case in brief is that the informant's father went with co-accused to the agriculture field for work and since then he was missing and on search his dead body has been found in the field.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have committed no offence. They have been falsely implicated in this present case due to village politics as well as on the basis of suspicion. A statement has been



made in para-3 of the petition that Petitioners have got no criminal antecedent. They are languishing in judicial custody since 16.01.2021.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that during investigation, witnesses supported the prosecution case and the nature of offence is heinous. It is further submitted that the postmortem report also suggests that incised wound sustained on the body of the deceased and the petitioners' belongings also found at the place of occurrence where the dead body has been found.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.

However, if the trial of the petitioners is not concluded within the period of four months, they would be at liberty to renew their prayer for bail.

(Sunil Kumar Panwar, J)

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