

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62128 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- PHENHARA District- East Champaran

AMITABH BACCHAN SON OF MOSAFIR SAH RESIDENT OF
VILLAGE - PATKHAULIYA, P.S. - CHIRAIYA, DISTRICT - EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62190 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- PHENHARA District- East Champaran

BADRI DAS Son of Bharosi Das R/o vill - Patkhauliya, P.S. - Chiraiya, Distt.
- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62128 of 2023)

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
Mrs. Rashmi Jha, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP.

(In CRIMINAL MISCELLANEOUS No. 62190 of 2023)

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Adv.
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and learned



A.P.P. for the State.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 34 of the Indian Penal Code.

4. Allegedly, the informant has raised his suspicion that the petitioners along with other accused persons have committed murder of the informant's son due to previous enmity and cremated the dead body in order to conceal the evidence.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is no eye-witness in the present case. They have been made accused in the present case merely on suspicion. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 11.08.2023 passed in Cr. Misc. No. 49571 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the



case, as similarly situated co-accused have been granted anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Phenhara P.S. Case No. 41 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

