

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70630 of 2022

Arising Out of PS. Case No.-26 Year-2020 Thana- BHAWANIPUR District- Purnia

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1. CHHOTU DHANGAR @ URAON S/o Buchkun Dhangar @ Uraon R/o Village- Dhangar Tola, Basantpur, P.S.- Rupauli, Distt- Purnea.
 2. ARBIND DHANGAR @ URAON S/o Buhkhun Dhangar @ Uraon R/o Village- Dhangar Tola, Basantpur, P.S.- Rupauli, Distt- Purnea.
 3. SURAJ DHANGAR @ URAON S/o Buchkun Dhangar @ Uraon R/o Village- Dhangar Tola, Basantpur, P.S.- Rupauli, Distt- Purnea.
 4. BUCHKUN DHANGAR @ URAON S/o Mohru Dhangar @ Uraon R/o Village- Dhangar Tola, Basantpur, P.S.- Rupauli, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Bhawanipur P.S. Case No. 26 of 2020 registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code pending in the Court of learned S.D.J.M., Purnea.

As per the prosecution case, it appears that the F.I.R. named accused persons including these petitioners, in furtherance of their common intention of all, have committed the murder of husband of the informant and concealed his dead body in Goraiya Bhar to screen themselves from legal punishment.

Learned counsel for the petitioners submits that no such



occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners are named in the F.I.R. only on the basis of suspicion. He submits that there is no eye-witness of the alleged occurrence. Petitioner have got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that there is common intention of the petitioners and other co-accused to kill the deceased (husband of the informant).

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Bhawanipur P.S. Case No. 26 of 2020.

The prayer for anticipatory bail of the petitioners is hereby rejected. 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 there is no specific overt act against the petitioners.

(Anjani Kumar Sharan, J)

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