

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72309 of 2023

Arising Out of PS. Case No.-331 Year-2023 Thana- MADHUBAN District- East Champaran

1. ANITA DEVI WIFE OF SURENDRA SAH RESIDENT OF VILLAGE-MA-CHHAHA, LP.S. MADHUBAN, DISTRICT- EAST CHAMPARAN, MOTIHARI
2. MANJIT SAH SON OF SURENDRA SAH RESIDENT OF VILLAGE-MA-CHHAHA, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN, MOTIHARI
3. AJIT KUMAR SON OF SURENDRA SAH RESIDENT OF VILLAGE-MA-CHHAHA, P.S.- MADHUBAN, DISTRICT- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard the parties.

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

3. The allegation against the petitioners is that they along with other accused persons killed the daughter of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioners surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering that the petitioner no.1 is a lady and also the petitioners have no criminal antecedent.

(Anjani Kumar Sharan, J)

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