

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72456 of 2022

Arising Out of PS. Case No.-138 Year-2017 Thana- AMARPUR District- Banka

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BALRAM MANDAL S/o Late Naresh Mandal R/o Village- Belkhorla, P.S.-
Madhusudanpur, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-04-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Amarpur P.S. Case No.138 of 2017, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The accusation of killing the deceased is against unknown.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner is not named in the FIR. It is submitted that there is no eye witness of the occurrence and only on suspicion, the petitioner is made accused in the instant case.



Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the nature of offence and the materials available in the case diary, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection.

(Anjani Kumar Sharan, J)

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