

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74206 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- BIKRAM District- Patna

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1. PUNIT KUMAR @ PUNIT RAJ Son of Sambhu Yadav Resident of Village - Nagahar, Police Station - Bikram, District - Patna.
 2. Manish Kumar Son of Sambhu Yadav Resident of Village - Nagahar, Police Station - Bikram, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoranjan Kumar
For the Opposite Party/s	:	Mr.Chandra Sen Prasad Singh
	:	Mr. Durgesh Nandan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-04-2023 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code pending in the learned court below.

Allegation against the petitioners and other co-accused persons Nabanit Kumar is that they have assaulted the informant's father by means of iron rod due to which he died.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that from perusal of the FIR it is clear that there is land dispute between the parties. He submits that post-mortem report does not support the prosecution case. He further submits that there is no specific overt act against the



petitioners. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State assisted by learned counsel for the informant opposes for prayer for bail and submits that the bail application of the similarly situated other co-accused person has been rejected by a Coordinate Bench of this Court vide order dated 21.03.2023 passed in Cr. Misc. No. 44724/2022. Hence, the petitioners also do not deserve anticipatory bail.

Considering the facts and circumstances of the case and from perusal of the post-mortem report, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bikram P.S. Case No.29/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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