

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78981 of 2023

Arising Out of PS. Case No.-395 Year-2023 Thana- MAJHAULIA District- West Champaran

1. Satan Prasad S/O Mushhar Prasad @ Lalbahadur Prasad Village- Karmwa, Ward No. 07,Ps. Majhauliya, Dist. West Champaran.
2. Hiralal Prasad S/O Mushhar Prasad @ Lalbahadur Prasad Village- Karmwa, Ward No. 07,Ps. Majhauliya, Dist. West Champaran.
3. Mushhar Prasad @ Lalbahadur Prasad S/O Late Jairam Mahto Village- Karmwa, Ward No. 07,Ps. Majhauliya, Dist. West Champaran.
4. Krishna Prasad @ Krishna Kumar S/O Mushhar Prasad @ Lalbahadur Prasad Village- Karmwa, Ward No. 07,Ps. Majhauliya, Dist. West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code.

3. Petitioners are said to have committed murder of the daughter of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the daughter of the informant had died due to heart attack. He submits that the cremation of the body



was done prior permission of the husband of the deceased and in presence of villagers. He submits that no independent eye witness has supported the prosecution case during the police investigation. He submits that there is compromise between the parties. He further submits that petitioner no. 3 has criminal antecedent and rest of the petitioners have no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Majhauriya P.S. Case No. 395 of 2023.

7. However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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