

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.924 of 2023

Arising Out of PS. Case No.-549 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Pramod Yadav Son of Late Ramjivan Yadav R/v- Mayaganj, P.S.- Barari,
District- Bhagalpur
 2. Sumit Kumar @ Sumit Yadav Son of Pramod Yadav R/v- Mayaganj, P.S.-
Barari, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 Heard both parties.

The petitioners apprehend their arrest in Kotwali (Barari) P.S. Case No. 549 of 2020, registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, all the three FIR named accused persons including petitioners and 4-5 unknown persons caught the husband of informant and slit his neck by sharp edged weapon. When informant raised *hulla*, all the accused persons fled away.

It is submitted that informant is not eye-witness of the occurrence. Petitioners have been falsely implicated in this case



on account of long standing land dispute between the parties. On the date of occurrence petitioner no. 2 was working in Jio Office at Parbatta, Khagaria and this fact was confirmed by the Investigating Officer by visiting the said Jio Office at Parbatta, Khagaria and obtaining CCTV footage as well as report from the owner of the Jio Office. As per the postmortem report, only one incised wound has been found on the person of deceased whereas there is allegation of assault against 7-8 persons. Petitioners claim clean antecedents.

Counsel for State opposed the prayer for bail and submitted that petitioners along with others committed murder of the husband of informant.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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