

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11948 of 2024

Arising Out of PS. Case No.-333 Year-2023 Thana- BASANTPUR District- Siwan

1. Biran Sah Son Of Late Fulman Sah Resident Of Village - Khawaspur, Tola Nandpur, Police Station - Lakri, Niviganj, District - Siwan
2. Pappu Sah Son Of Dhuran Sah Resident Of Village - Khawaspur, Tola Nandpur, Police Station - Lakri, Niviganj, District - Siwan
3. Lalji Sah Son Of Biran Sah Resident Of Village - Khawaspur, Tola Nandpur, Police Station - Lakri, Niviganj, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-06-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 120(B), 302/34 of the Indian Penal Code.

3. As per the prosecution case, on 16.10.2022 at about 1:00 PM, all the F.I.R. named accused persons including these petitioners entered the house of the informant and took her husband along with them to buy Pokhra and later, on search, his dead body was found thrown into the Chanwar. Informant suspects that the accused persons committed murder of her



husband.

4. Learned counsel for the petitioners submits that the informant is not an eye witness of the occurrence and these petitioners have been made accused only on suspicion. During investigation, not a single witness has claimed to have seen the alleged occurrence. He next submits that initially one U.D. Case No. 11/22 dated 18.10.2022 was registered by the police and reason for death was stated as drowning. Petitioners claim clean antecedent.

5. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioners are named in the F.I.R. and there is specific allegation against these petitioners that husband of the informant went along with them and later on, his dead body was discovered with anti mortem injuries.

6. Considering the nature of accusation, prayer for anticipatory bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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