

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23327 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. Birendra Turha @ Birendra Prasad Son of Jawahir Turha @ Javahir Turha Resident of Village- Masarh, Police Station- Udwant Nagar, District- Bhojpur
2. Govind Turha Son of Jawahir Turha @ Javahir Turha Resident of Village- Masarh, Police Station- Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 506 and 504/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that this is the second anticipatory bail application of the petitioners which has been filed in terms of the liberty granted to the petitioners by order dated 26.02.2024 in Cr. Misc. No. 5172 of 2024.

4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is further submitted that police after investigation submitted final form exonerating the petitioners of the allegation but the learned trial court differing with



the police report took cognizance. It is next submitted that when one investigating agency based on a threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for this Court to send the petitioners to jail on the ground that cognizance has been taken based on the same investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or 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.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 279 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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