

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22911 of 2024

Arising Out of PS. Case No.-327 Year-2022 Thana- KONCH District- Gaya

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1. Puja Kumari W/O Sri Anuj Kumar R/O Village- Shitalgarh, P.S- Anti, Distt.- Gaya.
 2. Chandraman Yadav S/O Late Mungeshwar Yadav R/O Village- Shitalgarh, P.S- Anti, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Konch P.S. Case No. 327 of 2022 registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that one co-accused Amit Kumar called on the mobile of the brother of the Informant and, thereafter, he along with other accused persons including the petitioners killed the brother of the Informant by strangulating his neck and threw the dead-body near Amba canal.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is no specific or direct allegation against the petitioners rather the same is general and omnibus in nature. The specific allegation is against the co-accused Amit Kumar. The Informant is not the eye-witness to the alleged occurrence. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioners have no concern with the alleged occurrence.

5. Learned counsel for the petitioner further submits that the co-accused Surajmal Yadav has been granted regular bail by this Court vide order dated 19.02.2024 passed in Cr. Misc. No. 81892 of 2023.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, submitting that there is specific allegation against the petitioners of committing murder of the deceased.

7. Considering the entire facts and circumstances of the case as also the nature of offence is heinous, this Court is not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, the prayer for anticipatory bail of the petitioners, above named, is rejected. If the petitioner surrenders



before the court below within a period of four weeks from today
and prays for regular bail, the same would be considered by the
court below in accordance with law without being prejudiced by
the order of this Court.

(Rudra Prakash Mishra, J)

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