

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29524 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- BHAGWANPUR District- Vaishali

1. Annu Kumar S/O Lalu Paswan R/O Village- Asatpur Satpura, P.S- Bhagwanpur, Distt.- Vaishali.
2. Sonu Kumar S/O Lalu Paswan R/O Village- Asatpur Satpura, P.S- Bhagwanpur, Distt.- Vaishali.
3. Vikash Kumar S/O Dilip Paswan R/O Village- Asatpur Satpura, P.S- Bhagwanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Bhagwanpur P.S. Case No.176 of 2023 instituted under Section
302 of I.P.C. and further Section 34 of I.P.C. was added.

3. As per prosecution case, there was an altercation
between the petitioners and one Vikash Kumar son of
Vishwanath Paswan and when the deceased (informant's
brother) tried to pacify them, they became violent and assaulted
him (deceased) causing his death.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this



case. As per post-mortem report, neither external nor internal injury was found on the body of the deceased. There is no eye witness of the alleged occurrence. No specific allegation is attributed to the petitioners and no motive has been stated behind the alleged occurrence. In fact, the deceased was 70 years old and he died due to his old age ailments. The petitioners have no criminal antecedent. The petitioners are ready to cooperate in the investigation.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No.176 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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