

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45239 of 2024

Arising Out of PS. Case No.-269 Year-2022 Thana- KHAIRA District- Saran

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1. Harsh Bardhan Dixit @ Harsh Bardhan @ Harsh Barchan S/o- Late Sureshwar Dixit Village- Talpuraina Mirjapur, PS- Marhowrah, Dist- Saran
 2. Rajbardhan Dixit @ Rajbardhan S/o- Late Sureshwar Dixit Village- Talpuraina Mirjapur, PS- Marhowrah, Dist- Saran
 3. Ajay Ranjan Dixit Late Sureshwar Dixit @ Munna Dixit Village- Talpuraina Mirjapur, PS- Marhowrah, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Prabhakar
For the Opposite Party/s	:	Mr. Shyam Kumar Singh
For the Informant	:	Mr. Udai Shankar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 364 and 365 of the Indian Penal Code.
3. Learned counsel for the petitioners at the outset submits that petitioner no.1 has antecedent of one case and petitioner no.2 and 3 are persons with clean antecedent. It is next submitted that the police after threadbare investigation came to a considered conclusion that petitioners are innocent



and thus submitted final form exonerating them of the allegation but then the learned Magistrate differing the police report took cognizance, hence petitioners apprehend their arrest. It is further submitted that when one investigating agency based on 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 based on an order of cognizance which was taken based on the same investigation which found the petitioners to be innocent.

4. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that final form exonerating the petitioners was submitted by the police.

5. 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 learned trial court where the



case is pending/successor court in connection with Khaira
(Nagar) P.S. Case No.269/2022, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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