

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46536 of 2024

Arising Out of PS. Case No.-776 Year-2022 Thana- GARKHA District- Saran

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1. Mantu Kumar Bhagat @ Mantu Bhagat Son Of Surendra Bhagat Village-
Peethghat, P.S.- Garkha, Distt.- Saran
 2. Bablu Bhagat @ Bablu Kumar Son Of Surendra Bhagat Village- Peethghat,
P.S.- Garkha, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-09-2024 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend arrest in case registered for
the offences punishable under Sections 302/34 of the Indian
Penal Code.

3. As per prosecution case, on 7.12.22, petitioner No.
2 took the son of informant to attend marriage ceremony of his
cousin sister and thereafter, the son of informant did not return
and his dead body was recovered on 08.12.2022. Informant
suspects that the F.I.R. named accused persons including these
petitioners committed murder of his son.

4. Learned counsel for the petitioners submits that



informant is not an eye witness of the occurrence. Petitioners have been made accused only on suspicion. F.I.R. has been lodged after inordinate delay of 5 days and during investigation, none of the witnesses have claimed to have seen these petitioners committing the offence.

5. However, learned A.P.P. for the State vehemently opposed the bail application and has submitted that it is specific case of the informant that these petitioners took away his son to attend marriage ceremony and thereafter, his dead body was found.

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

(Prabhat Kumar Singh, J)

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