

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4868 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- BABUBARHI District- Madhubani

1. Pitambar Thakur Son of Hari Narayan Thakur Resident of Village- Baruwar, Ward No.-8, Police Station- Babubarhi, Distt.- Madhubani
2. Anil Kuma Thakur @ Sunil Kumar Thakur Son of Pitambar Thakur Resident of Village- Baruwar, Ward No.-8, Police Station- Babubarhi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Jha, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Babubarhi P.S. Case No. 307 of 2023, lodged on 25.09.2023, under Sections 364/302/201/120B of the I.P.C.

3. As per the prosecution, FIR has been lodged against the present petitioners against whom there is allegation that they have murdered the informant's son by calling him on mobile and subsequently his dead body was recovered.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Counsel submits that the names of the petitioners have come in



this case by virtue of suspicion only. No material has come save and except the confessional statement of the petitioners themselves. Counsel further submits that from a bare reading of the FIR it is crystal clear that there is no eyewitness of the said occurrence. He submits that antecedent of the petitioners is clean and they are in custody since 26.09.2023.

5. Learned counsel for the State, on the other hand, opposes the prayer for bail and submits that in the rejection order the material has come against the petitioners and on their disclosure the dead body of the victim has been recovered. As such, he submits that the bail may not be granted to the petitioners.

6. Upon specific query whether charge has been framed or not. Counsel submits that charge has not been framed.

7. In the circumstance, this Court is not inclined to grant bail to the petitioners at this stage. Accordingly, the prayer for bail of the petitioners is hereby rejected.

(Dr. Anshuman, J)

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