

Arising Out of PS. Case No.-166 Year-2024 Thana- MAIRWAN District- Siwan

Arising Out of PS. Case No.-166 Year-2024 Thana- MAIRWAN District- Siwan

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2025

1. Heard learned counsel for the petitioners and
 .P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 341, 323, 302 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his father was a priest in Hariram Brahmasthan temple. It is next alleged that the accused persons including the petitioners came and Vashisth and Manu jumped over his chest and even pressed his chest by their knees and even assaulted, on account of which, he died.



4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that accused and informant are agnates but then this fact has been concealed in the F.I.R. rather an impression has been given that someone unrelated came and assaulted the father of the informant causing his death. It is next submitted that though informant alleges that the accused persons assaulted his father and even jumped on his chest but then from perusal of the postmortem report, it would manifest that the same records that no external injury was found. The learned counsel thus submits that this amply demonstrates that on account of dispute relating to property, the instant false case has been instituted concealing the relationship in order to coerce the petitioners into submission, so that, they part with the property without any contest. It is also submitted that Hari Shankar Pandey along with two others had approached this Court seeking anticipatory bail by filing Cr. Misc. No.60275/2024 and the same was allowed by an order dated 26.09.2024.

5. Learned A.P.P. opposes the prayer for anticipatory bail of the petitioners.

6. 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 Mirwa P.S. Case No.166/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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