

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5811 of 2015

Arising Out of PS.Case No. -61 Year- 2014 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Arvind Kumar Singh @ Arvind Singh Son of Ram Rekha Singh
2. Prem Shankar Singh @ Prem Prakash Singh Son of Ram Rekha Singh
3. Hiro Singh @ Hira Singh Son of Ram Rekha Singh
4. Guddu Kumar Singh @ Guddu Singh Son of Ramjee Singh All resident
of village - Narullaha Bhatawalia, P.S. Sangrampur, District - East
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar. Advocate.

For the Opposite Party/s : Mr. Md. Arif(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioners apprehend their arrest in Kotwa P.S.
Case No. 61 of 2014, registered for the offences punishable under
Section 302 and other Sections of the Indian Penal Code.

The informant alleged that some altercation took place
with Guddu Singh, thereafter, all the accused persons having
armed with different weapons came and assaulted his father Satya
Narayan Pandit, consequently his father died.

Learned counsel for the petitioners submits that all the
accused persons are alleged to have assaulted Satya Narayan
Pandit, but no specific allegation is made against the petitioners.

Satya Narayan Pandit died due to cardiac respiratory failure. The doctor has found superficial injuries on different parts of the body of Satya Narayan Pandit. It is further submitted that Satya Narayan Pandit was examined by Doctor Rohtagi and he complained that he fell down from stairs and got injuries which appears from Annexure-3.

On perusal of records, it appears that there is omnibus and general allegation of assault against the petitioners and other accused persons. From the perusal of the records it appears that there were some superficial injuries on the body of the deceased. The doctor has opined the cause of death is cardiac respiratory failure. It appears that Anoj Singh and Om Prakash Singh have already been granted regular bail by this Court.

Considering the facts that there is allegation against the petitioners that they also assaulted Satya Narayan Pandit, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that on same

and similar facts other accused persons Anoj Singh and Om
Prakash Singh have already been granted regular bail.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--