

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30360 of 2014

Arising Out of PS.Case No. -34 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Lawkush Singh Son of Ramsher Singh
2. Santosh Singh Son of Kuber Singh
Both Resident of village- Shiripur, Tola Rampur, P.S.- Sugauli, District-
East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioners and learned

counsel representing the State.

Petitioners apprehend their arrest in connection with

Sugauli P.S. Case No. 34 of 2014 registered for the offences

punishable under Sections 302/34 of the Indian Penal Code and

Section 3(i) (x) of SC/ST (Prevention of Atrocities) Act.

Allegedly, all the accused persons including the

petitioners assaulted the deceased with fat, foot and fist brutally.

They dragged him to their door and there also they assaulted him

on his chest due to which he died.

Submission is that Money Suit has been filed in the

court of Civil Judge Senior Division, Palampur as the brother of the informant has taken loan of rupees one lac and for recovery of the loan amount suit has been filed and when the money was demanded altercation took place and taking advantage of the situation, the petitioners have been implicated. It is further submitted that the FIR has been lodged after six days of the occurrence to which the learned APP opposes by pointing out that due to brutal assault the deceased was killed.

In the facts and circumstances stated above, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioners, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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