

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28105 of 2015

Arising Out of PS.Case No. -267 Year- 2013 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Kishun Ojha, Son of Late Maharaj Jha
 2. Sanjeev Jha, Son of Shri Kishun Jha
 3. Sanjay Jha, Son of Shri Kishun Jha
 4. Sonu Jha, son of Shri Kishun Jha,
 5. Chandra Kishore Jha @ Chandra Kant Jha, S/o Digambar Jha All residents of Village- Lala Chhapra, Police Station- Kesaria, District- East Champaran at Motihari

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uma Kant Tiwary, Advocate.

For the Opposite Party : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 12-10-2015 Heard both sides.

The petitioners apprehend their arrest for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant named five persons and alleged that they all assaulted the informant and when her mother came out the accused persons assaulted her and pushed her and consequently her mother fell down and became unconscious.

Shri Yogendra Mishra, learned counsel for the petitioners submits that there is no external injury on the persons of the deceased, mother of the informant. The petitioners are co-

sharer. Mother of the informant was suffering from different ailments and the villagers filed petition before the DIG and thereafter the informant also filed compromise petition. No injury was found on the person of the informant as he was not examined.

Taking into consideration of the fact that the petitioners are alleged to have violently pushed an old lady, mother of the informant and she got injury on lungs and liver on account of which she died, I am not inclined to enlarge the petitioners above named 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, their prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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