

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43801 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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1. Pappu Ram son of Rajendra Ram
2. Shambhu Ram son of Bonu Ram Both are resident of village- Mano,
P.S.- Surajgarha, Dist.- Lakhisarai Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Nityanand(App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under sections 323, 324, 307/34 of the Indian Penal Code to which Section 302 was added after five days.

It is alleged that about eight accused persons entered into the house of the informant. It is further alleged that accused Rohit Ram, Rajendra Ram and Bonu Ram assaulted the informant's husband with weapons on account of which he became injured and subsequently died after five days. It is alleged that accused persons also did *mar-pit* with Bidan Ram.

The petitioner submits that there is a general allegation against the accused that they entered into the house of the informant. There is specific allegation against the three accused persons, who assaulted the husband of the informant. The other

allegation is that they did *mar-pit* with Bidan Ram, who did not sustain any injury.

It is true that the allegations of making assault on informant's husband are against three accused persons. Furthermore, all the accused persons indulged in *mar-pit* with Bidan Ram who is alleged to have not sustained any injury. In my view, the grounds raised by the petitioners are good ground for grant of regular bail.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Their prayer for anticipatory bail is rejected. In case, the petitioners surrender and pray for regular bail, the same would be disposed of on the same day without being prejudice by the fact that their prayer for anticipatory bail is rejected by this Court.

(Samarendra Pratap Singh, J)

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