

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39306 of 2014

Arising Out of PS.Case No. -271 Year- 2013 Thana -KURHANI District- MUZAFFARPUR

1.Devendra Singh
2. Ashok Singh
Both sons of Chandra Singh,
3. Sanjeev Kumar, S/o Devendra Singh, &
4. Kishori Singh, S/o Kailash Singh,
All are R/o Village-Chajan Thatiya, P.S. Kurhani (Turki O.P.) District-
Muzaffarpur.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 29-06-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State as also heard
learned counsel, appearing for the informant.

Petitioners apprehend their arrest in connection with
Kurhani P.S. Case No. 271 of 2013 which was initially, registered
for the offence under Sections-325, 307 & other minor Sections of
the Indian Penal Code and later on, Section 302 of the Indian
Penal Code was also added.

The occurrence took place on 16-08-2013 whereas;
fardbeyan was recorded on 22-08-2013 and subsequently, the
deceased died on 05-11-2013. The deceased specifically, stated in
his fardbeyan that he was, mercilessly, assaulted by petitioners.

No doubt, the postmortem report discloses that no
external or internal injury was found on the person of the deceased

but the inquest report, prepared by the I.O. discloses that at the time of preparation of inquest report, several old injuries were found on the person of the deceased.

Therefore, considering the aforesaid facts and circumstances of the case as well as submission of the parties, I am not inclined to grant privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection with Kurhani P.S. Case No. 271 of 2013 stands rejected.

However, this order shall not cause any prejudice to the learned court below at the time of consideration of regular bail application of the petitioners.

(Hemant Kumar Srivastava, J)

A.K.V./-

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