

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37631 of 2014

Arising Out of PS.Case No. -81 Year- 2013 Thana -KATRA District- MUZAFFARPUR

- =====
1. Lalita Devi daughter of Late Jilos Lal @ Jullu Rai, resident of Village-Sindhware, P.S. Katra, District- Muzaffarpur
 2. Ram Pravesh Rai son of Late Ram Khelawan Rai resident of Village-Rajghat, P.S.- Katra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. H.A. Khan (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-03-2015

Heard both sides.

The petitioners apprehend their arrest in a case under section 302 and other allied Sections of the Indian Penal Code.

Durga Devi, the informant named the petitioners along with other accused persons and alleged that Lalita Devi, Ram Pravesh Rai, Niraj Kumar and Phulo Devi began to assault her husband. When she tried to save her husband the accused persons also pushed her. In the meantime, Phulo Devi assaulted her husband with Musal on his head. During the course of treatment her husband Ram Prakash Rai died.

Learned counsel for the petitioners submits that

there is no specific allegation of assault against the petitioners. The only specific allegation of assault is against Phulo Devi. The post mortem report shows one injury on the head.

It appears that the informant has made allegation that all the accused persons assaulted Ram Prakash Rai and Phulo Devi assaulted him with Musal on his head resulting in the death of Ram Prakash Rai.

Considering the facts aforesaid, I am not inclined to grant anticipatory bail to the petitioners in connection with Katra P.S. Case No. 81/2013 pending in the court of the learned Chief Judicial Magistrate, Muzaffarpur. It is accordingly rejected.

(Prabhat Kumar Jha, J)

Amin/-

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