

Arising Out of PS.Case No. -138 Year- 2014 Thana -GORIAKOTHI District- SIWAN

.... Petitioner/s

## 1. The State of Bihar

.... .... Opposite Party/s

For the Opposite Party/s : Mr. B.Ram (App)

It is stated that petitioner No.1, Achhelal Ram, and No.2, Dilip Ram, have been arrested and, accordingly, for anticipatory bail has become infructuous.

The petitioner and other accused persons are alleged to have assaulted Babulal Ram with fists and slaps.

It is submitted that no external injury was found and the deceased died due to cardiac arrest. Similarly situated accused Sharda Devi has already been enlarged on anticipatory bail.

On the other hand, the learned counsel for the informant as well as learned Additional Public Prosecutor, however, opposed the prayer for anticipatory bail.

It appears that Sharda Devi was granted anticipatory bail considering the fact that she was a lady. The petitioner is alleged to have assaulted with fists and slaps. Of course, no external injury was found but I do not find it a fit case for grant of anticipatory bail to the petitioner. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below, i.e., learned Chief Judicial Magistrate, Siwan in Gorea Kothi P.S. case No. 138 of 2014 and pray for regular bail. The court below shall dispose of the bail petition on merits without being prejudiced by the order of this court.

**(Prabhat Kumar Jha, J)**

BKS/-

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