

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31269 of 2015

Arising Out of PS.Case No. -89 Year- 2013 Thana -BASNAHI District- SAHARSA

- =====
1. Laltu Yadav Son of Bindeshwari @ Bino Yadav
2. Tetry Devi Wife of Laltu Yadav Both are residents of Village: Sutahniya,
P.S.: - Basnahi, District: Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.
For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 13-10-2015 Heard both sides.

The petitioners apprehend their arrest in Basnahi P.S.
Case No. 89/2013, registered for the offences punishable under
Section 302 and other Sections of the Indian Penal Code.

The informant named the petitioners along with 8 other
accused persons and alleged that they all having armed with
different weapons entered into her house. Pana Yadav, Tempu
Yadav and Pappu Yadav made indiscriminate firing causing injury
to her son Sito Yadav, daughter-in-law Meena Devi and grand son
Kaila Yadav. Sito Yadav died on the spot. Tetry Devi, Sita Devi
and Chhatis Yada are alleged to have assaulted the informant and
her husband.

Learned counsel for the petitioner submits that there is no specific allegation of assault against the petitioners, but

From perusal of the FIR itself, it appears that the petitioners and 8 others having armed with different weapons entered into the house of the informant and 3 accused persons made indiscriminate firing causing death of the son of the informant on the spot. Daughter-in-law and grand son of the informant were also injured on account of firing. Petitioner no. 2 Tetry Devi is also alleged to have assaulted the informant and her husband.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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