

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4719 of 2015**

Arising Out of PS.Case No. -218 Year- 2014 Thana -GHORASAHAN District-  
EASTCHAMPARAN(MOTIHARI)

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1. Lal Babu Rai  
2. Pramod Rai Both sons of Tej Narain Rai All residents of village  
Kadamawa, p.s. Ghorasahan, district East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Arbind Kumar

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      28-04-2015                      Heard learned counsel for the petitioners as well as  
  
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with  
  
Ghorasahan P.S. Case No. 218 of 2014 registered under Sections-  
  
302/34 of the Indian Penal Code.

Petitioners are named in the first information report  
  
with specific allegation that they assaulted and pressed the neck of  
  
the deceased.

The contention on behalf of the petitioners is that the  
  
postmortem report and the inquest request of the deceased do not  
  
support the manner of occurrence because in postmortem report,  
  
some undigested foods were found and the aforesaid finding in

postmortem report, completely belies the time of occurrence.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I do not feel it proper to extend the privilege of anticipatory bail to the petitioners and, accordingly, their prayer for anticipatory bail in connection with Ghorasahan P.S. Case No. 218 of 2014 pending in the court pending in the court of learned Judicial Magistrate, Sikrahana at Motihari stands rejected.

A.K.V./-

(Hemant Kumar Srivastava, J)

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