

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5777 of 2015

Arising Out of PS.Case No. -64 Year- 2014 Thana -ARER District- MADHUBANI

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1. Ramesh Jha son of Yogendra Narayan Jha
2. Sunita Devi wife of Vijay Jha @Navin Jha both are resident of Village:-
Ram Nagar, P.S. Arer, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioners apprehend their arrest in Arer P.S. Case No. 64 of 2014, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code in which Section 302 of the Indian Penal Code was added later on.

The informant alleged that on account of plucking mango, the dispute arose. The petitioner Ramesh Jha is alleged to have assaulted the husband of the informant with a piece of bamboo and the petitioner no. 2 Sunita Devi is alleged to have assaulted the husband of the informant with iron rod on his head.

Learned counsel for the petitioners submits that the occurrence took place on 05.06.2014 at 6:00 P.M., but the FIR was lodged on 07.06.2014. There is inordinate delay in lodging the

case. The husband of the informant died in P.M.C.H. on 12.06.2014.

On perusal of records, it appears that there is very specific allegation against the petitioners that petitioner no. 1 assaulted the husband of the informant with a piece of bamboo and petitioner no. 2 assaulted the husband of the informant with iron rod on his head. The doctor found two injuries on the head of the deceased and internal hemorrhage on right side of the head till brain was found.

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

(Prabhat Kumar Jha, J.)

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