

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36698 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -SAHEBGANJ District- MUZAFFARPUR

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Mohar Bhagat Son of Ganapat Bhagat Resident of village - Khorī Pakar,
Tole, Gopalpur, P.S. Shahebganj, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Pushpa Sinha-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 04-11-2015 Heard both sides.

The petitioner apprehends his arrest in Shahebganj P.S.
Case No. 238/2014, registered for the offences punishable under
Section 302 and other sections of the Indian Penal Code.

Manju Devi alleged that her father-in-law Ram Narain
Sahni went for walking but he did not return home. On search, she
came to know that the petitioner and other accused persons
assaulted his father-in-law and took him to the hospital for
treatment, but her father-in-law died.

It is submitted that there is no specific allegation of
assault against the petitioner. During the course of investigation it
has come to notice that there was a theft of pumpkin and on
account of which the villagers assaulted one person who was later

on identified as Ram Narain Sahni.

It appears that during the course of investigation the witnesses have supported the factum of the occurrence and on the pretext of committing theft of pumpkin the petitioner and others assaulted Ram Narain Sahni and he died. Prayer for anticipatory bail of Jagdeo Bhagat and others has already been rejected. The case of petitioner stands on similar footing.

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

(Prabhat Kumar Jha, J.)

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