

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41961 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -NAUTAN District- SIWAN

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1. Birendra Yadav Son of Dina Choudhary
2. Upendra Yadav Son of Dina Chaudhary Both Resident of village -
Mathia Ke Tola, Police Station - Nautan, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-12-2015 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 341, 323, 324, 325, 307/34 of the Indian Penal Code.
Later on section 302 of the IPC was also added.

The informant named the petitioners along with two
other accused persons and alleged that they all assaulted him with
Farsa, Garasi, Tangi and caused injury on different parts of his
body. The accused persons also assaulted the mother of informant.
During the course of treatment, the mother of informant died.

The learned counsel for the petitioners submits that
the injuries found on the person of the deceased do not support the
allegation though specific allegation of assault is made against the

petitioners.

Considering the fact that petitioners are alleged to have assaulted the informant and his mother, the informant also got injuries and his mother succumbed to the injuries during the course of treatment, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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