

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11004 of 2015

Arising Out of PS.Case No. -115 Year- 2014 Thana -SHAMBHUGANJ District- BANKA

- =====
1. Subhash Mandal
 2. Bijoy Mandal
 3. Sanjay Mandal
 4. Ajay Mandal Petitioners No. 1 to 4 are sons of Bilash Mandal

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Binod Kumar No. 3 (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 20-03-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 115 of 2014 registered for the offences punishable under Section 302 and other minor sections of the Indian Penal Code.

Petitioners are named in the first information report and there is omnibus allegation against all the petitioners and other first information report named accused persons that they assaulted the informant as well as her other family members as a result thereof, the informant's husband died while he was being taken to hospital.

The contention on behalf of the petitioners is that the deceased sustained only one injury and it is not clear who is the author of aforesaid injury.

In my view, even if it assumed that only one first information report named accused gave fatal blow to the deceased, then also, there is specific allegation that all the petitioners participated in the alleged crime.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection with Shambhuganj P.S. Case No. 115 of 2014 pending in the court of Chief Judicial Magistrate, Banka stands rejected.

However, this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail application of the petitioners.

(Hemant Kumar Srivastava, J)

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