

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34261 of 2014

Arising Out of PS.Case No. -62 Year- 2014 Thana -KARPI District- JEHANABAD

1. Dharma Singh Son of Late Bhagwan Singh Resident of Village - Radhey Bigha, Post. - Belkhara, P.S. - Karpi (Sahar Telpa), Distt. - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 23-03-2015 Heard both sides.

The petitioner apprehends his arrest in a case under section 302 and other sections of the I.P.C.

The informant named the petitioner along with Triveni Chaudhary and others and alleged that they assaulted Pachu Chaudhary, father of the informant. Pachu Chaudhary became unconscious and died on way to hospital.

Learned counsel for the petitioner submits that Triveni Chaudhary is the own brother of the informant. There is a land dispute. There is allegation against the petitioner that he pressed the chest of the deceased, but the case is compromised. Even in

the supervision note the Superintendent of Police disclosed that the informant himself disclosed that his father fell down and died.

On perusal of the records, it appears that there is specific allegation against the petitioner that he forcibly pressed the chest of Pachu Chaudhary, and consequently Pachu Chaudhary died. During the course of investigation, the witnesses have also supported the version of the informant.

Hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected. The petitioner, if so advised, may surrender before the court below and pray for regular bail and the court below will consider the same without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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