

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.391 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sitaram Ram Son of Late Gokhul Ram
 2. Bhola Ram Son of Shri Sitaram Ram
 3. Umesh Ram Son of Sri Narsingh Ram
 4. Prabhu Ram Son of Sri Narsingh Ram
 5. Brijesh Ram Son of Sri Narsingh Ram All R/o Vill.- Darwalia,P.S-
Jogapatti, District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party/s : Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 30-01-2015 Heard both sides.

The petitioners apprehend their arrest in Jogapatti
P.S. Case No. 158 of 2014, registered for the offences punishable
under Section 302 and other Sections of the Indian Penal Code.

Chandra Kishore Ram the informant named seven
persons and alleged that they having armed with different weapons
came and assaulted his brother Shobhi Ram, when Saral Ram
came to save Shobi Ram, Narsingh Ram is alleged to have
assaulted Saral Ram with Pharsa on his head and thereafter all the
accused persons are alleged to have assaulted Saral Ram who died
during the course of treatment.

Learned counsel for the petitioners submits that there is no allegation of assault against the petitioners. There is no corresponding injury on the body of the deceased Saral Ram.

On perusal of record, it appears that there is allegation against the petitioners that they assaulted the deceased with Lathi, the deceased got two injuries one on parietal temporal region and the death is on account of injury found on the head caused by hard and blunt object.

Considering the facts that there is allegation against the petitioners that they assaulted the deceased with Lathi, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks and pray for regular bail and their prayer shall be considered on its own merit without being prejudiced by this order taking into consideration that Banka Ram @ Ashok Ram has already been granted bail.

(Prabhat Kumar Jha, J.)

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