

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10847 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -AMARPUR District- BANKA

- =====
1. Jamila Devi W/o- Hira Lal Thakur, resident of village- Dumrama, P.s.-
Amarpur, District- Banka
2. Chanda Devi, W/o Amit Thakur, resident of village- Dumrama, P.s.-
Amarpur, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 28-07-2016 Heard both sides.

The petitioners apprehend their arrest in Amarpur P.S.
Case No. 98/2015, registered for the offences punishable under
Section 302, 307 and other sections of the Indian Penal Code.

The informant Bablu Thakur alleged that some
altercation took place due to flowing of hand pump water on the
passage, on such petitioners and other accused persons assaulted
his son Ramesh Thakur and his son fell down. Hira Lal Thakur
also assaulted the informant with pharsa on his head which hit on
his hand. Amit Thakur assaulted the informant with knife on his
head and also assaulted his wife.

Learned counsel for the petitioners submits that there is

no specific allegation of assault against the petitioners. From perusal of post-mortem report, it would appear that only, injury on head was found to be grievous on account of which Ramesh Thakur died. The petitioners were not armed with any weapon. Petitioners are ladies.

It appears that informant made allegation that petitioners and others firstly assaulted Ramesh Thakur (deceased) and when he fell down Hira Lal Thakur assaulted with pharsa on the head of the informant. Ramesh Thakur died due to head injury which is grievous in nature. The informant also got injuries on account of assault made by Hira Lal Thakur and Amit Thakur.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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