

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15465 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -PURANHIA District- SHEOHAR

1. Mohan Sah @ Mohan Kumar Son of Hari Shankar Sah,
2. Hari Shankar Sah, Son of Late Siyaram Sah,
3. Sanjay Sah @ Sanjay Kumar, Son of Shyam Narain Sah,
4. Vineet Sah @ Vineet Kumar, Son of Lakhan Deo Sah, All are resident of
village - Hathsar, P.S. - Purendih, District - Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Daya Shankar Prasad Sinha

For the Opposite Party/s : Mr. Md.Ansarul Haque (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 30-06-2016

Heard both sides.

The petitioners apprehend their arrest in a case under
Section 302/34 of the Indian Penal Code.

The informant alleged that petitioners and Bipin Sah
assaulted his granted mother and killed her.

It is submitted that petitioners are not the assailants
of the deceased and Bipin Sah is said to have inflicted Farsa blow
on the head of deceased and there is no other injury on the person
of deceased. The supervisory authority also not found involvement
of the petitioners.

It appears that informant and other witnesses have

stated that petitioners were armed with different weapons along with Bipin Sah and they also assaulted grand mother of informant and others on account of land dispute. From perusal of the post mortem report, it appears that the deceased got three injuries on account of which she died.

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

If the petitioners surrender in the court below, i.e., learned Sub-divisional Judicial Magistrate, Sheohar in Purnahiya P.S. case No. 91 of 2015 and pray for regular bail the same shall be considered on its own merit without being prejudiced by the order of this court.

(Prabhat Kumar Jha, J)

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