

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30021 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -KANTI District- MUZAFFARPUR

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1. Hazara Khatoon wife of Naimuddin
2. Juli Praveen Daughter of Naimuddin Both resident of Village- Bangra
Chaupan, Police Station- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Jha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 08-09-2016

Heard both sides.

The petitioners apprehend their arrest in Kanti P.S.
Case No. 122 of 2016, registered for the offences punishable
under Sections 307 and other Sections of the Indian Penal Code.
Later on Section 302 was added.

The informant Rajendra Kishore Singh named the
accused persons and alleged that they all dragged his daughter-in-
law to their door and brutally assaulted when the informant, his
wife and son went to save. The accused persons along with the
petitioners assaulted the informant with an intention to kill him.
His son was assaulted by the accused persons with lathi and iron
rod on his head. The son of the informant died during course of
treatment.

Learned counsel for the petitioners submits that omnibus and general allegation of assault is made against the petitioners. There is counter version being Kanti P.S. Case No. 121/2016. Other co-accused, namely Md. Naimuddin & another have been granted regular bail vide order passed in Cr. Misc. No. 28112 of 2016. The case of the petitioner stands on the similar footing.

Considering the facts aforesaid and the fact that there is allegation against the petitioners that they also assaulted the informant and his family members, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

The petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and their prayer shall be considered taking in to consideration that similarly situated co-accused, namely Md. Naimuddin & Anr. have already been granted regular bail vide order passed in Cr. Misc. No. 28112/2016. The court below shall dispose of the bail petition of the petitioners preferably on the same day.

(Prabhat Kumar Jha, J.)

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