

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33912 of 2016

Arising Out of PS.Case No. -109 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

- =====
1. Sujay Singh Son of Sri Vishundeo Singh Resident of Village: Piraur Mathura, Police Station : Goraul, District Vaishali at Hajipur.
 2. Uday Singh Son of Sri Vishundeo Singh Resident of Village: Pirapur Mathura, Police Station : Goraul, District Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarika Kumari

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 26-09-2016

Heard both sides.

The petitioner Uday Singh apprehends his arrest in Goraul P.S. Case No. 109 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code. Later on Section 302 was added.

On the order of Sujay Singh, the petitioner is alleged to have assaulted the informant Yogendra Singh and his wife with iron rod. The wife of Yogendra Singh died during course of treatment.

Learned counsel for the petitioner Uday Singh submits that the case was lodged after one week of the occurrence. From the side of the petitioner the case was lodged on the same day.

There is a land dispute between the parties. The informant Yogendra Singh is uncle of the petitioner. The deceased died due to cardiac failure and no external injury was found on the body of the deceased.

It appears that the informant made his fardbeyan on the same day and the case was instituted after one week. The petitioner is alleged to have assaulted Yogendra Singh, the informant and his wife Binda Devi. The informant sustained grievous injury and the wife of the informant died during course of treatment.

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

(Prabhat Kumar Jha, J.)

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