

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31320 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -SANGRAMPUR District- MUNGER

Prabhu Mandal S/o Doman Mandal resident of Village- Mehrana Tar, P.S.- Sangrampur (Tatia Bumber), Distt- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr. D. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 20-08-2016 Heard learned counsel for the petitioner and the learned A.P.P for the State.

The petitioner apprehends his arrest in connection with Sangrampur (Tatiyabumber) P.S. Case No. 125 of 2015 pending in the Court of Chief Judicial Magistrate, Munger under Section 302/34 of the Indian Penal Code.

The accusation is that on 17.10.2015 Prince Kumar S/o Nagendra Mandal, aged about 12 years and Aman Kumar son of the informant Anita Devi were scuffling and at that time Biru Mandal came and started assaulting both the boys. When Her husband late Damador Mandal came to pacify the scuffle, Biru Mandal and Doman Mandal came and started assaulting him by means of lathi due to which her husband fell down from the bridge

and when she came to rescue her husband, Prabhu Mandal, Kiran Devi and Sapna Devi came and started assaulting her husband due to which he seriously injured and died in the hospital.

Learned counsel appearing for the petitioner submits that the specific allegation of causing injury to the deceased is against Biru Mandal and Doman Mandal. Only general allegation has been made against the present petitioner causing injury to the deceased.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the court below and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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