

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28899 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -KHAIRA District- SARAN

- =====
1. Vikas Kumar
 2. Pradip Kr. Singh @ Pradip Kumar
Both S/o late Vishanath Singh R/o Village- Khaira , PS Khaira,
District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anant Kumar Bhaskar, Advocate.

For the Opposite Party : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 13-12-2016 Heard learned counsel for the petitioners as well as
the learned APP for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in Khaira P.S. Case No. 55 of 2016 for the offences punishable under sections 324 and other allied sections of the I.P.C. Later on section 302 of the I.P.C. was added when Nirmala Devi, wife of the informant, died on 03.04.2016.

Allegedly, nine persons including the petitioners having armed with Lathi and Danda came and assaulted the informant, his son and his wife. There is omnibus and general allegation of assault. The informant got one multiple bruise on back of his chest, the son of the informant got one lacerated wound



on left side of forehead. The deceased Nirmala Devi, wife of the informant, did not get any injury and the doctor opined traumatic pain on whole body and low back. Nine persons are alleged to have assaulted but no apparent injuries of assault by nine persons are found on the person of any injured. The deceased did not get any external or internal injury as the postmortem report shows that the doctor did not find any apparent cause of death and viscera was kept preserved for chemical analysis. Other co-accused, namely, Daroga Singh, Dipu Kumar, Vijay Kumar Singh @ Vijay Kumar and Dupendra Singh have been allowed pre-arrest bail vide Cr. Misc. No. 23083 of 2016, whereas, Sanjay Singh and Jitesh Kumar have been allowed pre-arrest bail vide Cr. Misc. No. 41116 of 2016 by another co-ordinate Benches of this Court and as such the petitioners deserve sympathetic consideration.

Sri Ashok Kumar, the learned A.P.P. fairly submits that there is allegation that all the accused persons assaulted the deceased and her family members and the deceased got internal injury on account of assault made by the petitioners and others.

In the facts and circumstances as stated above, the petitioners, in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on furnishing bail bonds of Rs.



10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. A.C.J.M-X Saran at Chapra in the above mentioned case, i.e. Khaira P.S. Case No. 55 of 2016, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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