

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34012 of 2016

Arising Out of PS.Case No. -677 Year- 2015 Thana -NAWADA District- NAWADA

- =====
1. Ajay Chaudhary
 2. Awadhesh Chaudhary both sons of Munna Chaudhary Resident of Village- Loharpura, P.S.- Nawada Town (Kadirganj O.P.), District- Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Deepak Kumar, Advocate

For the Opposite Party : Mr. Smt. Reena Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 27-09-2016 Heard both sides.

Petitioners apprehend their arrest in Nawada Town (Kadirganj) P.S.Case No.677 of 2015 under Section 302 and other Sections of the IPC.

The informant alleged that the petitioners assaulted informant's father, namely, Ram Kishun Chaudhary, mother, sister and brother. Ram Kishun Chaudhary, the father of the informant died.

Learned counsel for the petitioners submits that the petitioners are nephew of the deceased Ram Kishun Chaudhary. There is a land dispute between the parties. There is also a counter version bearing Nawada Town (Kadirganj) P.S.Case No.669 of

2015 under Section 307 of the IPC. The mother of the petitioners, namely, Kamla Devi @ Kalwa Devi has already been granted anticipatory bail by this Court vide Cr.Misc.No.22078 of 2016. The deceased has got only one injury on the head and there is no injury report of the informant and others. Munna Chaudhary has also been granted regular bail by this Court vide Cr.Misc.No.15641 of 2016.

It appears that there is allegation against the petitioners and others that they brutally assaulted the father of the informant and other family members of the informant. The father of the informant, during course of treatment in PMCH, died. Petitioners are also assailants of the deceased.

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

If the petitioners surrender in the court below, the learned court below shall consider the prayer for regular bail of the petitioners taking into consideration that similarly situated co-accused persons have been granted regular bail by this Court.

(Prabhat Kumar Jha, J)

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