

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53285 of 2016

Arising Out of PS.Case No. -107 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

- =====
1. Madan Rai, S/o Late Baleshwar Rai.
 2. Lalo Rai, S/o Late Baleshwar Rai,
- Both are resident of Village- Khedarpur, P.S.- Vidyapatinagar, (Ghathao, O.P.), District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sri Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Vidyapatinagar P.S. Case No. 107 of 2016 registered under Sections 341, 342, 323, 302, 364 and 420/34 of the Indian Penal Code.

The accusation is that when the informant woke up in the morning, on 09.10.2016, he found that his wife and daughter was absent in the house. When he started to search them and came to know that his wife has been taken by the petitioner no. 1 forcibly. When informant along with others reached near the house of petitioner no. 1 and saw that in Khedrapur Samudayik Bhawan, petitioner nos. 1 and 2 along with Ranjit Rai and Ashok



Rai were assaulting, on which, she injured. The informant made protest then he was put in room but on alarm he was set free. Thereafter, he rushed his wife for her treatment but she died in the way.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to land dispute. It is further submitted that the external injuries as found on the person of the informant is swelling bruise and sharp cut injuries, which were not sufficient to cause of death of the wife of the informant.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the Court below within four weeks and prayer 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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