

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15373 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -LAUKHI District- MADHUBANI

=====

1. Ramanand Pandit.
2. Durganand Pandit
Both S/o Ram Prasad Pandit.
3. Om Prakash Pandit, S/o Bhaiya Lal Pandit
All Resident of Village- Hirpatti, P.S.- Laukahi, District- Madhubani.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Bimal Kumar, Advocate.
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.
For the Informant: Mr. Ashok Kumar Prasad, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-04-2016 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 302 and other sections of the Indian Penal Code.

The petitioners are alleged to have assaulted the
informant and his brother Rajesh Pandit. Rajesh Pandit later on
succumbed to his injuries. It is submitted that there is omnibus and
general allegations against the petitioners and no specific overt act
is alleged against them. Similarly situated co-accused Ram Prasad
Pandit and Bhaiya Lal Pandit have already been enlarged on
regular bail.

Considering the nature of allegations and the facts
that the petitioners assaulted the informant and his brother and the

brother of the informant succumbed to his injuries, I am not inclined to enlarge the petitioners on anticipatory bail in Laukahi P.S. Case No. 098 of 2015. Accordingly, the same is rejected.

The petitioners, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioners without being prejudiced by this order and taking into consideration that similarly situated accused persons have been enlarged on regular bail.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--