

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45939 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -BISFI (PATAUNA) District- MADHUBANI

- =====
1. Swetambar Yadav @ Sitambar Yadav, S/o- Late Choudhary Yadav.
 2. Ram Babu Yadav.
 3. Babalu Yadav @ Bablu Kumar Yadav Both S/o- Sitambar Yadadv.

All are Resident of Village- Kerwar, P.S.- Bisfi (Patauna O.P.),
District- Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Avinash

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 05-12-2016 Heard Sri Ajit Kumar Singh, learned counsel, who
was assisted by Sri Avinash, learned counsel for the petitioners
and learned Addl. Public Prosecutor.

Three petitioners, who are named as accused in
Bisfi(Patauna) P.S. Case No.104/2015 , G.R. No.1138/2015
registered for the offence under Sections 147, 148, 149, 341, 323,
324, 447, 307, 504 of the Indian Penal Code, have prayed for grant
of anticipatory bail.

It was submitted by learned counsel for the
petitioner that in the F.I.R. there is no specific accusation, rather
there is general and omnibus allegation against the petitioners. It
has been argued that the victim died due to heart attack, not due to



any injury caused in the occurrence. On the aforesaid ground, a prayer has been made for grant of anticipatory bail.

In this case, earlier case diary was called for, which has been received. Learned Addl. Public Prosecutor, opposing the prayer for anticipatory bail, submits that the inquest report suggests that the victim (deceased) had external injury on his person.

Keeping in view the fact that the petitioners are named as accused as well as other materials, I am not inclined to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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