

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30960 of 2017

Arising Out of PS.Case No. -457 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Asso Son of Mushri
2. Manglu @ Mangla Son of Asso
3. Shahenia Wife of Asso All are resident of Village- Purvari Jhirua, Police Station- Simraha, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Forbesganj (Simraha) P.S. Case No. 457 of 2016 instituted for the offence under Sections- 302, 325 & other minor Sections of the Indian Penal Code.

As per written report, the petitioners and other co-accused, named in the first information report, armed with Lathi, Danda, Farsa assaulted the husband of the informant. The husband of the informant became unconscious. The husband of the informant was taken to referral hospital, Forbesganj, from where, he was sent to Sadar Hospital, Purnea where, he succumbed to the injury.

It has been submitted that petitioners have falsely been implicated in this case. All the petitioners belong to the same family. Allegation is general and omnibus against the petitioners.



Counsel for opposite party No. 2 has submitted that prayer for anticipatory bail of other accused with similar allegation has already been rejected by coordinate bench of this court vide order dated 17-02-2017 passed in Cr. Misc. No. 3990 of 2017.

From the written report, it appears that there is specific allegation against these petitioners of assaulting the husband of the informant along with other accused and, thereafter, he became unconscious and later on, he succumbed to the injuries.

The postmortem report shows that death has been caused due to haemorrhage and shock caused by hard and blunt substance.

In such circumstances, this court does not find it a fit case for grant of anticipatory bail. Accordingly, prayer for anticipatory bail stands rejected.

The petitioners are directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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