

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1421 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -ISUAPUR District- SARAN

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1.Chanchal Sah @ Chanchal Kumar son of Sheo Shankar Sah.
2.Santosh Sah, @ Santosh Kumar son of Dudh Nath Sah.
3.Tuntun Hashmi, son of Noor Hassan.
4. Sanjay Prasad son of Jagdish Prasad, all are residents of Village-Isuapur,
P.S.Isuapur, District-Saran.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 07-11-2017

Heard the parties.

The appellants seek pre arrest bail in Isuapur P.S.

Case No.79 of 2015 registered for the offence under Sections 147,
148, 149, 341, 323, 302, 504 of the I.P.C.

Allegation against the appellants is of assaulting the
husband of the informant causing his death.

Submission of the learned counsel for the appellants
is that there is general and omnibus allegation against seven
accused persons including the appellants and apart from that
twelve other unknown persons. But as a matter of fact, the
deceased died in a road accident. It has also been submitted that in
the post mortem report except one no injury was found.

Heard learned A.P.P. also who opposed the prayer



for anticipatory bail on the ground that this a case under Section 302 Cr.P.C. and the appellants are named in the F.I.R. and the allegation of assault against them also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, above named, I am not inclined to grant privilege of anticipatory bail to the appellants. However, the appellants are directed to surrender before the court below and pray for regular bail and on their so surrendering the learned court below considering that there is general and omnibus allegation against the appellants shall dispose of the bail petition of the appellants on the same day, if possible, on its own merit without being prejudiced by this order.

With the aforesaid observation this appeal is disposed of.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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