

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47616 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -NARHAT District- NAWADA

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1. Rambilash Prasad, S/o Bihsun Mahto,
2. Amit Kumar S/o Akhilesh Prasad,
3. Rajnish Kumar S/o Krishna Prasad, All are R/o Village- Narhat, P.S.-
Narhat, District- Nawada Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party : Mr. Atul Chandra, APP 12

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 14-11-2017 Heard both sides.

The petitioners apprehend their arrest in Narhat P.S. Case No. 99 of 2017 registered under Sections 307 and other sections of the Indian Penal Code and 3 and 4 of the Public Property Damage Act.

The Primary Health Center, In-Charge, Narhat, Nawadah, Dr. Satyendra Kumar Sinha, alleged that one Pramjeet Kumar, hit by thunder stroke, came to hospitalize for treatment. Dr. Rampriya Sahgal and Dr. Rashid Mallick examined him, but, the petitioner was found dead. On such, the petitioners and others came and assaulted the doctors, on duty, and damaged the public articles of the hospital.

The learned counsel for the petitioners submits that there is general and omni bus allegation. The petitioners did not participate in the assault, made on the doctors.

I find that the allegation against the petitioners that they were leading the mob, who assaulted the doctors and damaged the hospital's property only because Pramjeet Kumar



died during the course of treatment in the hospital.

Considering the nature of allegation, made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail.

Accordingly, the prayer for anticipatory bail is **rejected.**

(Prabhat Kumar Jha, J)

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