

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2930 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Bipin Singh Son of late Lakhan Prasad Singh
2. Babul Kumar Singh@Babul Singh Son of Kishori Singh Both residents
of Village Karmanchak, P.S. Bhawanipur, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners as well
as learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Bhawanipur (Balua O.P.) PS case no. 89 of 2016 for the
offence under Section 302/34 of the Indian Penal Code.

It is submitted on behalf of petitioners that no
specific allegation has been alleged against the petitioners and the
allegation is only omnibus. It is further submitted that
post-mortem report shows that the deceased was not in a position
to state anything after receiving such injury. It is further submitted
that F.I.R. itself shows that there is enmity between the parties and
petitioners have been intentionally implicated in this case.



Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail stating that deceased has taken the name of the petitioner just before his death.

Having heard both sides. Considering the fact that deceased has taken the name of the petitioner just before his death, I am not inclined to grant bail to the petitioners. As such, their prayers for bail is rejected at this stage. However, petitioners may renew their prayer for bail before the court concerned after framing of charge and the court concerned will pass appropriate order on its own merit without being prejudiced by the order of this Court.

With these observations, this bail application is dismissed.

(Vinod Kumar Sinha, J.)

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