

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11518 of 2017

Arising Out of PS.Case No. -245 Year- 2016 Thana -PUPRI District- SITAMARHI
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- 1. Siya Sharan Mukhiya,
- 2. Nageshwar Mukhiya,
- 3. Ram Jatan Mukhiya,
All son of Ram Autar Mukhiya,
- 4. Ranju Devi, wife of Ram Jatan Mukhiya,
- 5. Punita Devi, wife of Siya Sharan Mukhiya,
All resident of Village- Gadha nearest Khadi Bhandar, Ward No.11,
P.S.- Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

- 1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

- For the Petitioner/s : Mr. Sanjay Kumar, Adv.
 - For the Opposite Party/s : Mr. Smt. Suman Kumari Singh, A.P.P.
- =====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 23-06-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Pupri Police Station Case No. 245 of 2016, disclosing offences under Sections 147, 148, 149, 341, 307, 323, 302 and 201 the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners and no specific overt act is attributed to them. In fact, the petitioners and the informant belong to the same family and as a matter of fact, the deceased was dashed by some unknown



vehicle on the road and the petitioners were the persons who taken away the deceased to the hospital for his treatment where he died during course of treatment. These petitioners, who are of clean antecedents, are innocent and have not committed any offence. Moreover, no any cogent material has surfaced in the case diary nor there is any eye witness to the alleged occurrence. Even no injury report is available on the record to support the prosecution version. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Pupri Police Station Case No. 245 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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