

Arising Out of PS.Case No. -40 Year- 2016 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

.... Petitioners

1. The State of Bihar.

.... Opposite Party

For the Petitioner/s : Mr. Anwar Karim, Adv.
For the Opposite Party/s : Mr. A.M. Mehta, A.P.P.

The accusation is that on 29.05.2016, in the evening, the petitioner No.1 accompanied to Shivjee Sahni, son of the informant, for learning to drive the tractor in the field, where petitioner Nos. 2 and 3 caught hold his hands and caused assault at his head causing blood oozing injury. At that time, Bidyanand Sahni and Bindeshwari Sahani were cutting the grass rushed to save



his son.

Learned counsel for the petitioners submits that, in fact, the tractor attached with the trailer was being driven by the petitioner and son of the informant was hanging on the trailer and fell down and come under the wheel of the tractor and died. Further submission is that due to sustaining injury by the son of the informant, a Panchayati was arranged and, accordingly, ten katha of land was to be given by the accused persons to the informant, which would appear from paragraph 16 of the case diary.

On the other learned A.P.P. appearing on behalf of the State opposed the prayer for anticipatory bail of the petitioner with contention that in para 6 and 7, the witnesses have supported the prosecution case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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