

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12667 of 2018

Arising Out of PS.Case No. -334 Year- 2012 Thana -DHANARUA District- PATNA

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Ramji Prasad, S/o Satya Narayan Yadav, R/o Village- Bahrampur, P.S.-
Dhanarua, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunath Singh, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dhanarua**
P.S. Case No. 334 of 2012 instituted for the offence under
Sections 302 and 34 of the Indian Penal Code.

In the *Fard-e-beyan* which has been lodged on
19.10.2012 it is alleged that in the night of 18/19.10.2012 while
the informant was sleeping with her son Dhananjay Kumar, this
petitioner along with co-accused Fudan Yadav entered into the
house of the informant and assaulted Dhananjay Kumar, son of the
informant, with rod and *Khanti* on the head and face, on account
of which, he fell down near Tubewell and died on the spot. The
accused persons also assaulted the informant with fist, slap,
slipper (*chappal*) etc. on account of which, she became



unconscious.

Learned counsel for the petitioner has submitted that co-accused Fudan has faced trial vide Sessions Trial No. 813 of 2016 arising out of Dhanarua P.S. Case No. 334 of 2012, G.R. No. 949 of 2012 and has been acquitted by judgment dated 6.7.2017.

This Court finds that the case is of the year 2012. The petitioner has not appeared in the court below till date. There is specific allegation against the petitioner in the written report of assaulting the son of the informant, on account of which, he died on spot.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which will be considered by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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