

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2909 of 2018**

Arising Out of PS.Case No. -260 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ  
=====

1. Naem Mian @ Naem Ansari, S/o Id Mohammad,  
2. Sahjad Alam, S/o Naem Mian,  
Both are R/o Village- Bhitbharwa, P.S.- Gopalganj Town District-  
Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.  
For the informant : Mr. Bishwajeet Singh, Advocate.  
Mr. Pritish Ranjan, Advocate.  
For the State : Dr. Rabindra Kumar, A.P.P.  
=====

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      15-02-2018                      Heard learned counsel for the petitioners and the  
  
State.

The petitioners apprehend their arrest in **Gopalganj**  
**Town (Nagar) P.S. Case No. 260 of 2017** instituted for the  
offence under Sections 302/34 of the Indian Penal Code.

There is specific allegation against the petitioners of  
assaulting son of the informant with handle of spade on his head  
and chest causing serious injury to him. He was taken to Sadar  
Hospital Gopalganj, from where he was referred to Higher Centre  
because of his serious condition and ultimately he died.

Learned counsel for the petitioners has submitted that



in the post mortem report, the Doctor did not give any opinion with regard to death and viscera have been preserved.

Learned counsel for the informant has appeared. He has submitted that police has mentioned in inquest report in paragraph-2 that injury on the chest and head of the deceased was found at the time of preparation of inquest report. It has further been submitted that witnesses in various paragraphs of the case diary have levelled specific allegation against the petitioners.

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

Prayer for anticipatory bail of the petitioners stands rejected.

Petitioners may surrender before the court below and make prayer for regular bail.

**(Sanjay Priya, J)**

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