

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36755 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- KOILWAR District- Bhojpur

1. Ful Kumari Devi, W/o Chandeshwar Rai,
2. Chandeshwar Rai S/o Late Rameshwar,
3. Dhanjeet Kumar S/o Chandeshwar Rai,
4. Shiv Shankar Kumar, S/o Chandeshwar Rai,
All R/o Vill.- Sakkadi, P.S.- Koilwar , District- Bhojpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary
For the Opposite Party/s : Mr. S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-07-2018 Learned counsel for the petitioners submits that during pendency of this application the petitioner no.1, Ful Kumari Devi, has been arrested by the police.

In view of the above, the present order is confined to the petitioner no.2, 3 & 4 only.

Heard learned counsel for the petitioners and learned counsel for the State as also counsel for the Informant.

In this case, the petitioners are apprehending their arrest in connection with Koilwar P.S. Case No. 102 of 2018 registered for offences under sections 302 of the Indian Penal Code.

In the present case, an allegation has been made that when the Informant was going to attend the natural call, the accused persons started abusing and also assaulted him with sticks. When his father came to save him, all the accused persons brutally assaulted his father. His father was taken to Primary Health Center, Koilwar for



treatment where he was declared dead.

Learned counsel for the petitioners submits that the deceased is the full brother of petitioner no.2 and they are agnates. He further submits that there was no motive to kill the deceased but, the fact is that in that incident, Ramesh Yadav has died.

Learned counsel for the Informant submits that the inquest report itself reflects the injury was made by hard and blunt substance.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners, above named, is rejected. If they surrender before the court below and pray for bail, the court below, without being prejudiced by this order, will decide the same in accordance with law.

(Shivaji Pandey, J)

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