

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49747 of 2018

Arising Out of PS.Case No. -224 Year- 2018 Thana -MARHAURA District- SARAN

=====

Baleshwar Mahato & Ors

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-09-2018 Heard the parties.

The petitioners is apprehending their arrest in connection with Marhowrah P.S.Case no.224 of 2018 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners is of assault to the son of the informant, who is the husband of the petitioner no.6 and submission of the learned counsel for the petitioners is that there is no eye witness of the occurrence and the postmortem shows that that the cause of death is asphyxia and there is no eye witness of the vicinity.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the informant is eye witness of the occurrence and she has stated about the assault by the accused persons and the postmortem report shows injuries on the person of the deceased..



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court and to be disposed of if possible on the same day.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

