

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7689 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- BITHAN BAZAR District- Samastipur

1. Kamal Narayan Yadav, Son of Late Lakhan Yadav,
2. Jai Jai Ram Yadav, Son of Late Lakhan Yadav,
3. Chandra Shekhar Yadav, Son of Late Lakhan Yadav,
4. Shiv Dular Ray, Son of Gaya Shankar Ray, All resident of Village- Karanchi, Police Station- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 06-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bithan P.S. Case No. 125 of 2017 instituted for the offence under Sections 147,148,149,302,307,325,341,504 of the IPC.

It has been submitted on behalf of petitioner no. 3 that he seeks permission to withdraw this petition.

Accordingly, this petition is dismissed as withdrawn with regard to petitioner no. 3.

In the written report, there is specific allegation against all the petitioners of assaulting Nathuni Yadav with lathi, danda, rod etc. on account of which he fell down on the ground unconscious. It is also alleged that they assaulted Ram Narayan



Yadav causing injury to him on head and chest. Thereafter, the injured were taken to hospital. Nathuni Yadav died on the way to hospital.

Counsel for the informant has appeared and submitted that the doctor at Primary Health Centre has found injuries on the person of deceased.

From case diary, it appears that there is no any medical report of Primary Health Centre, where injured got treatment first. Copy of medical report issued from Sadar Hospital Samastipur has been produced that show that injured was referred to DMCH/PMCH.

In such circumstances, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, this anticipatory bail petition stands rejected.

The petitioners are directed to surrender in the court below within six weeks from today and make prayer for regular bail which will be considered by the court below in accordance with law and disposed off preferably on the same day, without being prejudiced by this order.

(Sanjay Priya, J)

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