

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26138 of 2018

Arising Out of PS. Case No.-360 Year-2017 Thana- TEKARI District- Gaya

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1. Anil Nutt @ Anil Kumar, S/o Arjun Nutt,
 2. Arjun Nutt @ Arjun Gandharv, S/o Late Baishakhi Nutt.
 3. Punil Kumar @ Punil Nutt, S/o Arjun Nutt. All Resident of Village- Jagdhar, P.S. Tikari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 19-06-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Tikari P.S. Case No.
360 of 2017 instituted for the offence under Section 302/34 of
the Indian Penal Code.

It is alleged in the written report that these petitioners had
given threat to the father of the informant on account of dispute
of Rasta for which he was assaulted and threatened of dire
consequences. Prior to the alleged occurrence also, the
petitioners and other accused as mentioned in the written report
had assaulted the father of the informant on the brick kiln and
also near the shop of one Shiv Shah. It is also alleged that these
petitioners gave threat that if the father of the informant would



not allow passages from the land to the petitioners then he will have to face dire consequences. It is further alleged that in the night father of the informant was murdered by slitting his neck by sharp cut weapon. The informant has alleged that these petitioners have committed murder of his father in conspiracy with each other.

Learned counsel for the petitioners has submitted that there is no eye-witness of the occurrence. The informant does not claim himself as eye-witness.

Case diary has been received in this case.

Learned APP for the State has submitted that all the witness have supported the case that the petitioners wanted passage from the land of the father of the informant for which there was dispute and they had given threat of dire consequence. The postmortem report is available in the case diary wherein the doctor has found five ante-mortem injuries on the person of the deceased. 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 which shall be considered and disposed of on its own merit in accordance with law without



being prejudiced by the present order.

(Sanjay Priya, J)

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