

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10122 of 2019

Arising Out of PS. Case No.-305 Year-2018 Thana- TAJPUR District- Samastipur

1. Bhuneshwar Rai @ Bhuneshwar Yadav, Son of Bisundar Rai @ Bisundar Yadav @ Visundar Rai @ Visundar Yadav, Resident of Village- Chakjalal, P.S.- Tajpur (Halai O.P.) District- Samastipur
2. Bisundar Rai @ Bisundar Yadav @ Visundar Rai @ Visundar Yadav, Son of Late Jago Yadav, Resident of Village-Chakjalal, P.S.- Tajpur (Halai O.P.) District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Nilesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 09-07-2019 This is an application for grant of anticipatory bail in connection with Tajpur (Halai O.P.) P.S. Case No.305 of 2018, disclosing offences under Sections 447, 379, 506, 302, 34 of the Indian Penal Code.

Allegation as per F.I.R. is that tractors of the petitioners and one more accused were parked in front of the house of informant and there is allegation that petitioners caught hold the deceased and Shivnandan Rai pushed him, causing injury and later on, deceased died.

Submission of the learned counsel for the petitioners is that as a matter of fact, there is allegation against Shivnandan Rai and there is no external injury over the dead body except



one abrasion and they have falsely been implicated in this case.

Heard learned A.P.P. as well as learned counsel appearing on behalf of the informant, they have pointed out that the process of under Section 82 of Cr.P.C. has already been exhausted against the petitioners.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners may move before the learned court below for regular bail which will be considered by the learned court below, on its own, without being prejudiced by order of this Court, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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