

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13239 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- CHANPATIA District- West Champaran

1. Ramdeo Thakur age-50 years, Gender-Male.
2. Bisun Thakur age-52 years, Gender-Male
Both are sons of Late Baidyanath Thakur Resident of Village - Jaitiya, P.S.-
Chanpatia , Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj
For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 08-03-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Chanpatia P.S. Case No. 239/2018 registered under Sections 447, 341, 323, 324, 354B, 379, 504, 34 of the Indian Penal Code, pending in the court of learned A.C.J.M. - V, West Champaran, Bettiah.

Learned counsel for the petitioners submits that there is no specific allegation of assault against the petitioners on any vital part of the body of the informant.

On the other hand, learned A.P.P. for the State submits that in fact the fardbeyan of the informant clearly shows that these two petitioners had badly beaten the informant on all over



his body and has caused injuries. It is submitted that within 4-5 days of the assault the informant died. It is submitted that under these circumstances the petitioners are not deserving privilege of anticipatory bail.

Having heard learned counsel for the parties, this court is of the opinion that in the given facts and circumstances where the informant has himself stated that these petitioners had badly beaten him giving injuries on all over his body which ultimately proved fatal and informant died within 4-5 days of the occurrence, it would not be a fit case for the grant of privilege of anticipatory bail to these petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is refused.

In case, the petitioners surrender and pray for regular bail in the court below, the same shall be considered on it's own merit on the basis of the materials available on the record.

(Rajeev Ranjan Prasad, J)

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