

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21364 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. Mithilesh Rai, Son of Lal Babu Rai, Resident of Village - Olipur Tarai, P.S.-
Runnisaidpur, District- Sitamarhi
2. Mukesh Rai, Son of Lal Babu Rai, Resident of Village - Olipur Tarai, P.S.-
Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2019 This is an application for grant of anticipatory bail in connection with Runnisaidpur P.S. Case No. 306 of 2018, disclosing offences under Sections 147, 323, 504, 324, 307, 302, 34 of IPC.

Allegation against the petitioners and other accused persons is of assault to the husband of the informant, who succumbed injuries.

Submission of the learned counsel for the petitioners is that allegation of assault on several persons including the petitioners and only three injuries were found on the postmortem report but all the injuries are caused by blunt substances and does not support the prosecution case as the petitioner no.1 is said to have assaulted by the spade and



petitioner no.2 assaulted by farsa.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that there is allegation of assault on the petitioners and also the injuries were found on the body of the informant and postmortem report disclosed that deceased died to shock and hemorrhage.

Having heard both sides, in view of the allegations, I am not inclined to grant privilege of anticipatory bail to the petitioners. However, they may surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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