

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25478 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- BHAWANIPUR District- Purnia

1. RASHID KHAN Son of Oli Khan @ Thoid Khan Resident of Bari Bhandsar, P.S.- Bhawanipur, District- Purnea
2. Sajid Khan @ Md. Sajid @ Md. Sajid Khan Son of Mohiuddin @ Mohiuddin Khan Resident of Chhoti Bhandsar, P.S.- Bhawanipur, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate.
		Mr.Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-07-2019 Heard learned Senior counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bhawanipur P.S. Case No. 233 of 2018 for the offence registered under Sections 302/34 of the Indian Penal Code.

Diary of the present case was called for which has since been received.

Learned counsel for the petitioners submits that though there is an allegation against the petitioners of attacking the deceased, the informant is not an eye witness.

Learned counsel appearing on behalf of the State after



perusal of the case diary submits that from paragraph nos. 7 and 10 of the case diary, it appears that there are eye witnesses, who have witnessed the occurrence and there is specific allegation against the petitioners of having assaulted the deceased leading to his death.

In view of the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly rejected.

(Anjana Mishra, J)

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