

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40412 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Sechu Bind, aged about 26 years, Male.
2. Abhimanu Bind, aged about 28 years, Male, both sons of Dalsingar Bind, R/o village- Gangapur- Sonaon, P.S.- Durgawati, District- Kaimur at Bhabua.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Durgawati P.S. Case No.98 of 2019 (G.R. No.755 of 2019), registered for the offence under Sections 307, 324, 341, 323 and 504/34 of the Indian Penal Code, later on, Section 302 of the Indian Penal Code was also added.

As per the F.I.R. on 11.04.2019 while the informant was cleaning his motor-cycle the petitioners and other accused persons came there and started hurling abuses, which led to scuffle between the parties, in the meantime, the father of the informant came there and tried to pacify them, upon which



accused Suchit Bind came with *Garasa* and caused injury on the head of the father of the informant, who died later on in course of treatment.

Learned counsel for the petitioners submits that in the F.I.R. no allegation has been made against the present petitioners and specific allegation has been made against Suchit Bind, but the order-sheet of the Court below shows that the present petitioners have also assaulted the deceased.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail is rejected. However, if the petitioners surrender before the Court below within three weeks from today and pray for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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