

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42254 of 2019

Arising Out of PS. Case No.-332 Year-2018 Thana- CHAUSA District- Madhepura

1. MD. MOHID Son of Md. Udeswar Baitha Resident of Village - Ghosai, P.S.- Chousa, Distt - Madhepura.
2. Samsa Khatoon Wife of Md. Mohid Resident of Village - Ghosai, P.S.- Chousa, Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chousa P.S. Case No.332 of 2018 registered under Sections 302/34 of the Indian Penal Code, pending in the court of the Sub Divisional Judicial Magistrate, Udakisunganj, Madhepura.

The accusation is that due to land dispute, the petitioners and one Md. Jumshed came at the door of the informant and while abusing, entered into the house of the informant and took the son of the informant from the lap of the wife of the informant and committed the murder of the son of the informant by pressing his neck, after throwing him on the



ground.

Learned counsel appearing on behalf of the petitioners submits that while the petitioners are named in the F.I.R. but there is general and omnibus allegation against them. Further submission is that the informant and his wife has filed a compromise petition in the court of the Sub Divisional Judicial Magistrate, Udakisunganj, Madhepura.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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