

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45059 of 2019

Arising Out of PS. Case No.-422 Year-2016 Thana- MUFFASIL District- West Champaran

1. Muni Devi, Aged about 36 years, Female, W/o Brijesh Kumar, R/o Harwatika Chowk Basant Vihar, P.S. Muffasil Bettiah, District West Champaran.
2. Priti Devi, Aged about 25 years, Female, W/o Ajit Kumar, R/o Harwatika Chowk Basant Vihar, P.S. Muffasil Bettiah, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-07-2019 Heard both sides.

Petitioners apprehend their arrest in Bettiah Muffasil P.S. Case No.422 of 2016, registered under Sections 341, 323, 324, 379, 504 and 34 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code was added by order dated 28.01.2017.

The informant named the petitioners and other accused persons and alleged that the accused persons assaulted the informant with hammer. Later on the informant died.

Learned counsel for the petitioners submits that the petitioners are ladies and no specific allegation of assault is made against the petitioners. Only injury of biting is found on



the person of the deceased and the injury did not cause the death of the deceased. It is further submitted that the doctor, who attended the deceased, gave opinion that the deceased died on account of Respiratory failure. It is further submitted that the petitioners were granted bail but after addition of Section 302 of the Indian Penal Code, bail granted to the petitioners was cancelled.

Taking into consideration the facts that the petitioners were on bail and their bail was cancelled after issuing notice to the petitioners, in my view, the anticipatory bail is not maintainable and accordingly, the anticipatory bail petition is dismissed.

(Prabhat Kumar Jha, J)

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