

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55817 of 2019

Arising Out of PS. Case No.-177 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Anita Devi, aged about 35 years, (Female), Wife of Ram Preet Singh, Resident of Village- Adharpur, P.S.- Mufassil, District- Samastipur.
 2. Ram Preet Singh, aged about 38 years, (Male), Son of Late Briju Singh, Resident of Village- Adharpur, P.S.- Mufassil, District- Samastipur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Thakur and Mr.Nilesh Kumar,
Advocates.

For the Opposite Party : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 341, 307 and
302/34 of the IPC.

The prosecution story, in brief, is that on the point of
dispute for obstruction in road, the accused persons assaulted
the mother-in-law of the informant by Lathi, Danda and Iron rod
causing injury to her head. The doctor of Sadar Hospital after
treatment referred her to D.M.C.H. Darbhanga and from where



the doctor has referred to P.M.C.H., Patna, but in course of way to P.M.C.H. she succumbed to her injuries.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Both parties are agnates. There is property dispute between the parties.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R. The specific allegation of assault is alleged against the petitioners which led to death of the deceased. The deceased in his statement in the hospital has also alleged that he was assaulted by the petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected in connection with Begusarai Mufassil P.S. Case No. 177 of 2019, pending in the court of learned A.C.J.M. Samastipur.

If the petitioners surrender in the learned court below and pray for regular bail the same shall be considered by the learned court below on its own merit without being prejudiced



by this order of the Court.

(Sudhir Singh, J)

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