

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60684 of 2019

Arising Out of PS. Case No.-214 Year-2019 Thana- SUGAULI District- East Champaran

1. KRISHNA KUMAR Son of Shiv Sah Resident of Village- Sripur, Bhatwaliya, P.S.- Sugauli, District- East Champaran, Motihari.
2. Sri Narayan Sah Son of Jamadar Sah Resident of Village- Sripur, Bhatwaliya, P.S.- Sugauli, District- East Champaran, Motihari.
3. Sarswati Devi Wife of Jamadar Sah Resident of Village- Sripur, Bhatwaliya, P.S.- Sugauli, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-10-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Sugauli P.S.Case No.214 of 2019 registered for offences punishable under Sections 341, 323, 302, 504/34 of the Indian Penal Code.

As per FIR, there is allegation against the petitioners of assault by bricks on the head of the deceased causing his death.

Submission of the learned counsel for the petitioners is that there is general and omnibus allegation against all the petitioners. Petitioner no.3 is a lady aged about 60 years. Further submission is that as a matter of fact the deceased was suffering from paralytics and due to which he died. There is delay in lodging the FIR.

Heard learned A.P.P. and the learned counsel for the



informant, who has opposed the prayer for bail on the ground that the postmortem report also discloses injurers over the person of the dead body..

Having heard both sides and considering the above facts, so far petitioner nos. 1 and 2, above named, are concerned, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioners are directed to surrender before the learned court below and make prayer for regular bail.

So far petitioner no.3, above named, is concerned, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari in connection with Sugauli P.S.Case No.214 of 2019 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

