

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60662 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- HARNAUT District- Nalanda

1. LALIT SAO Son of Shrawan Sao Resident of Village - Gonawan, P.S.- Harnaut, Distt - Nalanda.
2. Sharwan Sao Son of Late Bhgwan Sao Resident of Village - Gonawan, P.S.- Harnaut, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Ajeet Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-10-2019 Petitioners seek bail in anticipation of their arrest in connection with Harnaut P.S. Case No. 191 of 2019 registered for the offences punishable under Sections 448, 341, 504, 323, 307 and 302/34 of the Indian Penal Code.

As per FIR the petitioners and other accused persons started brick batting on the deceased, causing several injuries, due to which he died.

Submission of learned counsel for the petitioners is that though there is allegation of brick batting against several accused persons, including the petitioners but only one injury was found on the person of deceased and there is no eye-witness to the occurrence.



Heard learned APP and learned counsel for the informant, who is appearing suo motu, has submitted that process under Sections 82 and 82 of Cr.P.C. has already been issued against the petitioners, as such they are not entitled to anticipatory bail.

In view of above facts and circumstances, this application is disposed of with direction to the learned court below to verify the fact as to whether any process has been issued against the petitioners prior to filing of this application, i.e. 23.9.2019 and if it is so, petitioners have to surrender and pray for regular bail, otherwise the court below shall release the petitioners on bail to its own satisfaction.

(Vinod Kumar Sinha, J)

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