

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64509 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- MUSAHARI District- Muzaffarpur

1. Gauri Shankar Singh @ Mangra, S/o Late Nand Kishor Singh, R/o village- Chhapra Megh, P.S.- Mushari, District- Muzaffarpur
2. Satyam Kumar, S/o Gauri Shankar Singh, R/o village- Chhapra Megh, P.S.- Mushari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mushari P.S. Case No. 133 of 2019, registered under Section 302/34 of the Indian Penal Code, pending in the court of ACJM-XV-cum-Sub-Judge-XVIth, Muzaffarpur.

The accusation is that informant, Raju Kumar, along with his brother, Dinanath Kumar had gone in village Chapra Magh to attend the marriage ceremony of his *Bhanji* on 15.05.2019. In the evening, his all family members went to village temple for worship with a D.J set. In the meantime, D.J. set was stopped then his brother Dinanath Kumar asked the petitioners to start the D.J. set then petitioners and others named in the F.I.R. started to abuse and cause



assault to his brother through lathi and iron rod, in which, his brother sustained grievous injury. Thereafter, his brother was rushed to S.K.M.C.H., Muzaffarpur, where he was declared dead.

Learned counsel for the petitioners submits that while the allegation has been made against the four persons named in the FIR including the petitioners to cause assault to Dinanath Kumar, brother of the informant, but only two injures, i.e., bruise and abrasion were found in the postmortem report and opinion regarding cause of death is kept reserved, in fact, Dinanath Kumar, brother of the informant was in drunken stage fell down and sustained injury.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would 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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