

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67056 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- FATUA District- Patna

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1. BINDESHWAR SAH @ BINDESHWAR SAO Son of Late Ramcharan Sao Resident of Village- Mai Maner, P.S.- Dhanarua, District - Patna.
 2. Pappu Sao Son of Sri Bindeshwar Sah @ Bindeshwar Sao Resident of Village- Mai Maner, P.S.- Dhanarua, District - Patna.
 3. Dharmendra Verma Son of Sri Bindeshwar Sah @ Bindeshwar Sao Resident of Village- Mai Maner, P.S.- Dhanarua, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-10-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Fatuha P.S.Case No.250/18 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

As per FIR, allegation against the petitioners is that they have assaulted the informant and his wife and later on his wife succumbed to the injuries.

Submission of the learned counsel for the petitioners is that there are general and omnibus allegation against the petitioners , land dispute is admitted from the FIR itself and as a



matter of fact she died natural death.

Heard learned A.P.P. , who has opposed the prayer of bail and drawn my attention towards the impugned order, from which it appears that the postmortem report discloses that there is injury over the person of the deceased..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, if the petitioners surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on the basis of the materials available on the record without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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