

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67639 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- KHIRI MORE District- Patna

PRINCE KUMAR Son of Manoj Singh, Resident of Village - Makhmilpur,
P.S.- Kinjar, Distt.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-11-2019 Heard both sides.

The petitioner apprehends his arrest in Khiri More P.S. Case No.31 of 2019 registered under Sections 147, 148, 149, 341, 323, 325, 307, 504, 302 and 120B of the Indian Penal Code.

The informant disclosed in his written petition that while he along with his brother Mohan Pandit was going to Imamganj Market for purchasing some articles and when they reached near Hanuman Temple, about 20 persons, who were in inebriated condition including ten named persons surrounded them.. It is further alleged that all the accused persons indiscriminately started assaulting his brother. The informant was also assaulted by the butt of the gun in which the hand of the informant was broken. The brother of the informant was left



on the road assuming that he died. The informant brought his brother to the Sadar Hospital and he was referred to P.M.C.H but on the way, the brother of the informant succumbed to the injuries.

Learned counsel for the petitioner submits that the petitioner is of course named in the F.I.R. but no specific allegation of assault is made against the petitioner and thus the petitioner deserves anticipatory bail, but from the contents of the F.I.R., it appears that all the accused persons are alleged to have indiscriminately assaulted Mohan Pandit (brother of the informant) and on account of such indiscriminate assault, Mohan Pandit died.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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