

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15463 of 2020**

Arising Out of PS. Case No.-84 Year-2019 Thana- ANDER District- Siwan

SHATRUDHAN BHAGAT S/o Late Ram Naresh Bhagat Resident of Village-  
Banthu Sriram, P.S.-Ander, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                       |
|----------------------|---|-----------------------|
| For the Petitioner/s | : | Mr.Ajay Kr Singh No.1 |
| For the State        | : | Mr.Nirmala Kumari     |
| For the informant    | : | Mr. Subhesh Pandey    |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      16-09-2020

Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Ander P.S. case No. 84/2019 registered under Section 147, 148, 149, 341, 323, 302, 504 & 506 of the IPC.

The informant named 11 persons including the petitioner, Shatrudhan Bhatat, and alleged that Panchayati was being held in presence of local Mukhiya. The Mukhiya informed that marriage was to be held in the house of Shatrudhan Bhagat and measurement of the land will be done later on. On such, the petitioner became infuriated. The petitioner and 10 other accused persons having armed with different weapons came and began to abuse Ram Pravesh Bhagat. Ram Pravesh Bhagat fell down on the ground and thereafter the petitioner is alleged to have assaulted him with brick on his head. Ram Pravesh Bhagat died on way to Sadar Hospital, Siwan.



The learned counsel for the petitioner submits that 11 persons are named in the FIR and omnibus and general allegation of assault is made. Manager Bhagat, Kamlesh Bhagat, Rahul Kumar, Raushan Kumar @ Raushan Bhagat have already been granted anticipatory bail vide order passed in Cr. Misc. No. 68779/2019 and the case of petitioner stands on the same footing but it appears that the informant firstly made omnibus and general allegation against all the accused persons and alleged that they all assaulted his uncle but the informant made specific allegation that when his uncle fell down it was the petitioner who assaulted his uncle with brick on his head. The injury on head was found to be caused by hard and blunt object and it was the petitioner who is alleged to have assaulted the uncle of informant with brick on his head. Deceased died on account of head injury.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

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