

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69250 of 2019

Arising Out of PS. Case No.-258 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. MANOJ MUSHAR Son of Kashi Mushar @ Kashi Nath Ram Resident of Village- Chhota Sasaram, P.S.- Udwant Nagar (Gajrajganj), District- Bhojpur.
2. Ganga Mushar Son of Late Sahatu Mushar Resident of Village- Chhota Sasaram, P.S.- Udwant Nagar (Gajrajganj), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 26-06-2020 Heard Mr. Vikramdeo Singh, learned counsel appearing for the petitioners as well as Ram Sevak Choudhary, learned Additional Public Prosecutor for the State through video conferencing.

Petitioners apprehend their arrest in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 258/2019 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Witch Practices Act, 1999.

Petitioners are named in the first information report and allegedly they along with others assaulted the deceased and, subsequently, the dead body of the deceased was found near



railway line.

Submission on behalf of the petitioners is that the deceased met with an accident but the petitioners have been implicated in this case due to village politics and enmity. Learned counsel of the petitioners has drawn my attention towards the contents of the postmortem report, which have been incorporated in paragraph 31 of the case diary and submits that the injuries found on the person of the deceased go to show that the deceased met with an accident.

Learned Additional Public Prosecutor opposed the prayer.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioners and, accordingly, their prayer for anticipatory bail stands rejected.

However, it is made clear that at the time of consideration of regular bail petition of the petitioners by the competent court, this order shall not cause any prejudice to the concerned court.

(Hemant Kumar Srivastava, J)

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