

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82393 of 2019**

Arising Out of PS. Case No.-93 Year-2019 Thana- BIRPUR District- Supaul

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1. SHIVNANDAN SADA @ SHIVANANDAN SADA Son of Bijay Sada Resident of Village - Kataiya, Ward No.02, P.S.- Birpur, Distt.- Supaul.
  2. Vishambhar Sada @ Bisambar Sada Son of Vijay Sada Resident of Village - Kataiya, Ward No.02, P.S.- Birpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nagendra Upadhyay  
For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      01-06-2020                      Heard learned counsels for the petitioners and the State.

Petitioners seek bail in connection with Birpur (Bhimnagar) P.S. Case No. 93 of 2019 registered for the offence punishable under sections 302/34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that petitioners are the sons of the deceased and while the deceased was assaulting their mother they protested and in that scuffle their father sustained injuries. The uncle of the petitioners have falsely implicated them in the present case due to previous land dispute. Petitioners



have no criminal antecedent and are in custody since 25.04.2019.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that petitioners are named accused and there is direct allegation against him of assaulting the deceased. Petitioners, therefore, do not deserve to be granted the privilege of bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of bail to the petitioners. The same is, therefore, rejected.

**(Arvind Srivastava, J)**

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