

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29145 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- HARSIDHI District- East Champaran

1. Sanjeev Singh @ Toofan Singh S/O Kedar Singh Resident Of Village-Bairyadih, P.S.-Harsidhi, District-East Champaran.
2. Gayatri Devi W/o Kedar Singh Resident of Village-Bairyadih, P.S.-Harsidhi, District-East Champaran.
3. Chhotan Kumar S/o Kedar Singh Resident of Village-Bairyadih, P.S.-Harsidhi, District-East Champaran.
4. Mithu Kumar Singh S/o Kedar Singh Resident of Village-Bairyadih, P.S.-Harsidhi, District-East Champaran.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Radha Mohan Singh, Advocate
For the Opposite Party : Mr. Ajay Kumar Jha A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 302 and other allied sections of the Indian Penal Code.

Prosecution's case in brief is that on 3.1.2020 at 7 PM the petitioners and other accused persons named in the FIR, armed with lathi, rod and farsa came to the house of the informant and started abusing and assaulting him and his family members and when his grandfather tried to save, he was brutally assaulted by the accused persons. He died during treatment on 4.1.2020.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He submits that the allegations are general and omnibus and erroneously all the family members have been roped in the case due to previous enmity.

Learned counsel for the State opposes the prayer for bail submitting that there is allegation against the petitioners that they along with others assaulted the victim as a result of which he died in the hospital on the next day. Anticipatory bail petition of other similarly situated co-accused persons have also been refused by a co-ordinate bench of this court vide order dated 17.12.2020, passed in Cr.Mis.No. 30336/2020.

Considering the nature and gravity of the allegation, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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