

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32740 of 2020

Arising Out of PS. Case No.-300 Year-2020 Thana- TURKAULIYA District- East
Champaran

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1. ASH MOHAMMAD Son of Late Sheikh Abdul Gani Resident of Village - Murgiya Tola Chargaha, P.S.- Turkauliya, District - East Champaran.
 2. Jokat Son of Sheikh Anwar Resident of Village - Murgiya Tola Chargaha, P.S.- Turkauliya, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Nityanand Tiwary, Mr. Anang Mohan Sinha
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Anshu Dhar Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in Turkauliya P.S. Case No. 300/2020 (G.R. No. 3533 of 2020) registered under Sections 147, 148, 149, 341, 323, 324, 307, 302, 120(B) and 504 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons assaulted the informant in his field and when family members came in rescue, they were also assaulted by the accused persons due to which they sustained injuries. Later, the father of the informant died in course of treatment.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As per the allegation, both the petitioners are said to have given iron rod blow on the head of the deceased. It is further alleged that thereafter other accused persons also assaulted indiscriminately upon the deceased. From perusal of the post-mortem report, it would appear that the manner of occurrence does not corroborate with the post-mortem report. As per the post-mortem report, there is only one external injury on the head.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and there is allegation of assault alleged against the petitioners. Hence, it is not a case for grant of anticipatory bail to the petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected. If the petitioners surrender in the Court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

Pankaj/-

(Sudhir Singh, J)

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