

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73226 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- JOKIHAT District- Araria

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1. TEJ NARAYAN BISHWAS Son of Chamru Bishwas
 2. Sundar Bishwas Son of Chamru Bishwas
 3. Mangal Bishwas Son of Tej Narayan Bishwas
 4. Anil Bishwas Son of Baso Bishwas
 5. Ashok Bishwas @ Ashok Kumar Son of Baso Bishwas
 6. Pandav Bishwas Son of Baso Bishwas
 7. Amarjit Bishwas Son of Baso Bishwas
- All are resident of Village - Bara, P.S.- Mahalgaon (Jokihat), District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-02-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Jokihat (Mahalgaon) P.S. Case No. 195/2019 registered for the offences punishable under Sections 147/148/149/341/323/379/452/302/504/506 of the Indian Penal Code.

As per the prosecution case, on 15.05.2019 at about 07:00 A.M., all the accused persons armed with *Lathi*, *Danda* and *Farsa* went to the house of the house of the informant and asked him to withdraw the case lodged against them. When the informant objected, these accused persons are alleged to have



assaulted him with *Lathi* and when wife of informant came to rescue, she was also assaulted with *Lathi* and kicks as a result of which she died during the course of treatment.

It is submitted on behalf of the petitioner that these petitioners have been falsely implicated in this case due to animosity. There is general and omnibus allegation against these petitioners. No specific overtact has been attributed to any of these petitioners. It is further submitted that the deceased was an old women and died her natural death. It is next submitted that doctor has not found any sign of external injury on the persons of the deceased.

However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that there is direct and specific allegation against these petitioners of assaulting the deceased with kicks and fists as a result of which she died during the course of treatment.

Considering the aforementioned facts and circumstances and the nature of allegation, I am not inclined to grant anticipatory bail to these petitioners. It is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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