

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50039 of 2021

Arising Out of PS. Case No.-187 Year-2021 Thana- SONEPUR District- Saran

1. SATENDRA PRASAD SINGH Son of Late Kapildeo Singh Resident of Village- Paharichak, P.S.- Sonpur, District- Saran.
2. Rina Singh @ Rina Kumari Wife of Dharm Raj Singh Resident of Village- Paharichak, P.S.- Sonpur, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 22-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned APP for the State has filed a supplementary counter-affidavit in this Court today. The same is taken and kept on record.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 342, 323, 302, 504 and 506 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including the petitioners, over a land dispute have brutally assaulted the informant's side by means of various weapons.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent. It is submitted that the F.I.R. has been lodged after postmortem of the deceased. It is submitted that the deceased died in 4A, Heart Hospital due to Cardio Pulmonary shock and it came to light that there is two opinions with regard to his death. Thereafter, a Medical board was constituted by the three members of the Patna Medical College and Hospital in which it is opined that the fracture of ribs and the blood clot underneath sternum may be caused by CPR (Resuscitative measures) done at 4A Heart Hospital. In para-6 of the report, it is mentioned that the cause of death is head injury caused by hard and blunt substances and there is no allegation that the petitioners have assaulted the deceased on the head.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners to have assaulted the deceased on his head, let the above named



petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sonepur P.S. Case No.187 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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