

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56083 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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1. JITAN RAM Son of Late Nagina Ram, Resident of Village - Bhatwaliya, P.S. - Sangrampur, District - East Champaran.
 2. Pana Kuwar wife of Late Nagina Ram, Resident of Village - Bhatwaliya, P.S. - Sangrampur, District - East Champaran.
 3. Puja Devi @ Lalti Devi Wife of Lalan Ram, Resident of Village - Bhatwaliya, P.S. - Sangrampur, District - East Champaran.
 4. Munila Devi @ Munita Devi Wife of Jitan Ram, Resident of Village - Bhatwaliya, P.S. - Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-09-2022 The learned counsel for the petitioners is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners and the
learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection
with Sangrampur P.S. Case No. 69 of 2021 registered for offence
punishable under section 302/34 of the Indian Penal Code.

As per allegation, the accused persons including the
petitioners assaulted the father of the informant with *lathi, danda*,
shoe, fists and slaps and co-accused Lalan Ram assaulted him on



his head with bamboo. The father of the informant died in course of treatment.

The learned counsel for the petitioners has submitted that the specific allegation to assault with bamboo on the head of the deceased is on Lalan Ram, who is not the petitioner. He has also submitted that the FIR was lodged after five days of the occurrence. He has also submitted that the bamboo fell on the head of the father of informant and due to which he died and the petitioners have falsely been implicated in this case.

The FIR shows itself that there is allegation against the accused persons that they had assaulted the father of the informant with *lathi, danda, slaps*, etc and the deceased died during the course of treatment.

Considering the above-mentioned facts and circumstances, in my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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