

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71635 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- MORKAHI District- Khagaria

1. Bikash @ Vikki Suman S/O Rajesh Sah R/O Village- Bachhauta, P.S.- Morkahi, District- Khagaria
2. Nitesh Kumar S/o Rajesh Sah R/o village- Bachhauta, P.S.- Morkahi, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 72177 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- MORKAHI District- Khagaria

Sujit Sah Son Of Late Jagdish Sah Resident Of Village - Bachhauta, P.S. - Morkahi, District - Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71635 of 2021)

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Ms. Dr. Indihar Kumari

(In CRIMINAL MISCELLANEOUS No. 72177 of 2021)

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Ms. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under



Sections 341, 323, 302/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that when the informant was constructing septic tank on her land, all the F.I.R named accused persons objected. It is further alleged that co-accused Vikash @ Vikky started assaulting her son Rahul Kumar and when her husband namely Bhavishya Kumar came to his rescue, co-accused Rajesh Sah order to assaulted, thereafter co-accused Vikash @ Vikky and Nitish Kumar assaulted with khanti on the neck and right leg of her husband and thereafter all the accused persons started assaulting him. The husband of the informant was thereafter taken to the hospital, where he was declared dead.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. For the alleged occurrence of 10.04.2021, the F.I.R has been registered on 24.04.2021 without plausible explanation.

Learned A.P.P appearing on behalf of the State



has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted after going through the case diary that the witnesses have supported the prosecution version. The postmortem report of the victim also suggests that cause of death is due to injuries. Learned A.P.P further submits that proceedings under Section 83 Cr.P.C have already been initiated against the petitioners which is apparent from the case diary.

In the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

