

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5287 of 2023

Arising Out of PS. Case No.-446 Year-2022 Thana- DHANARUA District- Patna

1. SONI DEVI W/O SHAILENDRA KUMAR Resident of village- Aurangpur, Post- Sonmai, P.S.- Sonmai, District- Patna.
2. RAJKUMARI DEVI W/O GAURI SHANKAR PRASAD Resident of village- Aurangpur, Post- Sonmai, P.S.- Sonmai, District- Patna.
3. FULA DEVI W/O MANDAN PRASAD Resident of village- Aurangpur, Post- Sonmai, P.S.- Sonmai, District- Patna.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate
For the Opposite Party/s : Ms.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Dhanarua P.S. Case No. 446 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354B, 379, 504, 506 and 302 of the Indian Penal Code. They have got no criminal antecedent.

As per the prosecution story, while the informant was going to cultivate his field, he was obstructed by the FIR named accused persons and they attempted to assault him then the informant ran to his house but he was followed by the accused persons to his house where Madan Prasad assaulted the informant and his other family members. The informant and his wife were brought to



Primary Health Centre from where they were referred to PMCH.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is no specific allegation against the petitioner for causing assault to the deceased.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners. Learned counsel submits that as per allegation, all the accused persons had repeatedly assaulted the deceased and the petitioner nos. 1 and 3 had also assaulted the wife of the deceased. It is further submitted that in the post-mortem report huge number of injuries on the body of the deceased have been noticed.

Having regard to the facts and circumstances of the case, wherein it is alleged that all the accused persons had repeatedly assaulted the deceased and the petitioner nos. 1 and 3 had also assaulted the wife of the deceased, the post-mortem report placed before this Court is showing huge number of injuries on the body of the deceased suggesting severe assault by a number of persons causing damage to the vital part of the deceased, this Court is not inclined to grant privilege of pre-arrest bail to the petitioners.

Prayer is refused. The application is dismissed.

(Rajeev Ranjan Prasad, J)

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