

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36227 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- NAUTAN District- Siwan

1. JIYUT PRASAD SON OF BABU LAL Resident of village- Mathiya Ke tola, Shahpur, P.S.- Nautan, District- Siwan
2. LALDEO PRASAD SON OF BABU LAL Resident of village- Mathiya Ke tola, Shahpur, P.S.- Nautan, District- Siwan
3. ARBIND PRASAD SON OF RANG LAL Resident of village- Mathiya Ke tola, Shahpur, P.S.- Nautan, District- Siwan
4. UMESH PRASAD SON OF NARAYAN PRASAD Resident of village- Dumarhar, P.S.- Darauli, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2023 Heard both sides.

The petitioners apprehend their arrest in connection with Nautan P.S. Case No.117 of 2021, registered for the offences punishable under Sections 323, 302 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that marriage of the brother of the informant was solemnized with the daughter of co-accused, Babu Lal Prasad. The brother of the informant went to his *Sasural* on 08.06.2021. The petitioners are said to have assaulted the brother of the informant after tying his hand and leg with rope due to which the brother of the informant died.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is general and omnibus allegation against the petitioners. There is no eye witness of the occurrence. It is submitted that only on suspicion, the petitioners have been made accused in the instant case. The cause of death could not be ascertained by the doctor. It is mentioned in the postmortem report that no Metallic, Alkaloidal, Glycosidal, Pesticidal or Volatile poison could be detected in dark brown fluid.

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

Taking into consideration the fact that allegation against the petitioners is general and omnibus, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Nautan P.S. Case No.117 of 2021,



subject to the conditions laid down under Section 438(2) of the
Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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