

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37034 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- BELDOUR District- Khagaria

1. Rajesh Ram Son of Opendra Ram Resident of village - Pachaut, P.S. - Beldaur, Distt. - Khagaria
2. Sudhir Ram Son of Rajesh Ram Resident of village - Pachaut, P.S. - Beldaur, Distt. - Khagaria
3. Ramesh Ram Son of Rajesh Ram Resident of village - Pachaut, P.S. - Beldaur, Distt. - Khagaria
4. Dropadi Devi Wife of Rajesh Ram Resident of village - Pachaut, P.S. - Beldaur, Distt. - Khagaria
5. Rina Devi Wife of Ramesh Ram Resident of village - Pachaut, P.S. - Beldaur, Distt. - Khagaria
6. Sango Devi D/o Rajesh Ram Resident of village - Pachaut, P.S. - Beldaur, Distt. - Khagaria
7. Bhushan Ram Son of Kusheshwar Ram Resident of village - Baliya, P.S. - Baliya, Distt. - Purnea at present village - Pachaut, P.S. - Beldaur, Distt. - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bishweshwar Ram
For the Opposite Party/s	:	Mr.Dinesh Singh
		Mr.Ranjeet Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioners, State and informant.

2. Petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 307, 504/34 of the I.P.C. and later on, Section 302 of the I.P.C. was added.

3. As per the prosecution case, on 17.01.2023 at about 4:30 PM, the petitioners, who are named in the F.I.R. armed with lathi & iron rod, assaulted father-in-law of the informant on



his head, due to which, he became unconscious. It is further alleged that when mother-in-law of informant came to save him, she was also assaulted by petitioner nos. 4, 5 & 6 with lathi and iron rod, due to which, she fell down and became unconscious. Thereafter, both were taken to hospital, but during course of treatment, mother-in-law of informant died.

4. It is submitted on behalf of petitioners that so far as petitioner nos. 1, 2, 3 & 7 are concerned, they are not assailant of the deceased. They are alleged to have assaulted father-in-law of the informant and the injury is simple in nature. So far as petitioner nos. 4, 5 & 6 are concerned, they are ladies and are alleged to have assaulted mother-in-law of the informant, who succumbed to the injury. There is case and counter case and there is no specific allegation of assault against any of the petitioner, rather there is general and omnibus allegation. Petitioners claim clean antecedent.

5. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner nos. 4, 5 & 6 is refused.

6. So far as prayer for anticipatory bail of remaining petitioners i.e. petitioner nos. 1, 2, 3 & 7, as named above, are concerned, in the event of their arrest/surrender within a period



of six weeks from today, they are directed to be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Khagaria in connection with Beldour P.S. Case No. 11 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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