

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62614 of 2023**

Arising Out of PS. Case No.-169 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Guddu Kumar @ Surendra Mishra @ Guddu Mishra Son Of Ram Ratan
Mishra Resident Of Village- Akopur, Ps- Bhagwanpur, Distt- Begusarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 11-10-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 302, 34 of the Indian Penal Code.

3. As per F.I.R., the allegation against petitioner is that he alongwith other co-accused persons brutally assaulted the husband of the informant with iron rod, *lathi* and *danda*, due to which, he received several injuries and during course of treatment died.

4. It is submitted on behalf of petitioner that informant is not eye-witness to the occurrence. Allegation of assault is general and omnibus. As a matter of fact, the husband of informant fell down due to darkness, due to which, he sustained injury and died, but taking advantage of the same, the informant lodged this false and concocted case.



5. However, learned A.P.P. for the State vehemently opposes the bail petition and submits that it is specific case of the informant that this petitioner alongwith other co-accused assaulted her husband. In the *post-mortem* report, doctor has found eight external injuries on the person of deceased.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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