

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71244 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- DHAMDAHA District- Purnia

1. Chandan Mukhiya S/O Beny Mukhiya @ Beni Mukhia R/O Village-Sarkohiya Ward No-02 P.S Dhamdaha District-Purnia
2. Beny Mukhiya @ Beni Mukhia S/O Late Bhogi Mukhiya R/O Village-Sarkohiya Ward No-02 P.S Dhamdaha District-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-05-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Dhamdaha P.S. Case No. 96 of 2023 registered under Sections 302, 341, 323 and 34 of the Indian Penal Code.

3. It is alleged that petitioners assaulted the father of the informant due to which he sustained injury and during course of treatment the father of the informant died.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to land dispute. Further submission is that the postmortem of the deceased was



conducted in Sadar Hospital, Madhepura but the occurrence took place in the township of Purnia. It is next submitted that in the inquest report, no injury has been found. Petitioners claim clean antecedent.

5. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail by contending that petitioners are named in the First Information Report and there is direct allegation against them of beating the father of the informant due to which he sustained injury and during course of treatment, he died. Hence, it is not a fit case of anticipatory bail.

6. Having considered the facts and circumstances of the case and nature of the allegation, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer of the petitioner is rejected.

(Prabhat Kumar Singh, J)

utkarsh/-

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

