

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77976 of 2024**

Arising Out of PS. Case No.-279 Year-2024 Thana- MADHAURAH District- Saran

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1. Santosh Narayan @ Chotu S/o Satyendra Narayan @ Satyendra Narayan Singh R/o vill - Takina, P.s. - Marhowrah, Distt.- Saran
  2. Satyendra Narayan @ Satyendra Narayan Singh S/o Late Punyadev Singh R/o vill - Takina, P.s. - Marhowrah, Distt.- Saran
  3. Rateneshar Kumar Singh @ Ratneshwar Singh S/o Late Punyadev Singh R/o vill - Maharuan, P.S. - Bheldi, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Piyush Parasar  
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      26-11-2024      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Marhaurah Police Station Case No. 279 of 2024, dated 13.05.2024, disclosing offences under Sections 147/148/149/341/323/307/302/506/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 07.05.2024, in the afternoon, when the informant was going with his brother Suresh Singh (deceased), in the meanwhile, they were assaulted by the



petitioners and other accused persons by means of iron rod, lathi, bricks, stone, etc. due to which they sustained injury and were admitted in the PMCH, where the informant's brother died on 12.05.2024.

4. Learned counsel for the petitioners submits that due to previous land dispute between the parties, the petitioners have been made accused in the present case on the basis of general and omnibus allegation. He further submits that there is delay in lodging the First Information Report inasmuch as the occurrence took place on 07.05.2024, but the First Information Report has been lodged on 13.05.2024 after the death of deceased. He also submits that the deceased has died due to road accident.
5. On the other hand, learned counsel for the State argued that the petitioners are having criminal antecedents except petitioner no. 1 and there appears to be long standing dispute between the parties. The allegation against the petitioners though general and omnibus in nature, but specific overt act has been alleged against the petitioners that they assaulted the deceased due to which he died in the hospital during the course of treatment.
6. Having regard to the submissions made on behalf of the



parties and taking into consideration the fact that as per the First Information Report, the petitioners, along with other accused persons, assaulted the brother of the informant, who died subsequently in the PMCH and the fardabayaan of the informant was recorded by the police at PMCH, I am not inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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