

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70508 of 2024

Arising Out of PS. Case No.-330 Year-2024 Thana- CHAPRA TOWN District- Saran

1. Farida Khatun W/o Aslam Khan R/o vill - Dahiyawan Siya Toli, P.S. - Chapra Town, Distt. - Saran at Chapra
2. Khalida Bano W/o Sunny Khan R/o vill - Dahiyawan Siya Toli, P.S. - Chapra Town, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 83700 of 2024

Arising Out of PS. Case No.-330 Year-2024 Thana- CHAPRA TOWN District- Saran

Sunny Khan @ Sani S/o- Aslam Khan Mohalla- Dahiyawan, Ps- Chapra town, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 70508 of 2024)

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

(In CRIMINAL MISCELLANEOUS No. 83700 of 2024)

For the Petitioner/s : Ms. Rajani Kumari, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Chapra Town P.S. Case no. 330 of 2024 registered on 14.05.2024 for the offence under Sections 302 and 34 of the Indian Penal Code.



3. As per prosecution case, on the alleged date of occurrence, the informant, who is the husband of the deceased, has been informed by his son on mobile phone that his wife was killed by the petitioners and other co-accused persons. It is also alleged that all the accused persons including the present petitioners, brutally assaulted the informant's wife on her vital parts i.e. head and mouth by means of bricks and stones due to which she ultimately succumbed to injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that all the allegations against the petitioners are false, fabricated and based on concocted story.

5. Learned APP appearing for the state has vehemently opposed the prayer of anticipatory bail petition.

6. Having heard the learned counsel for the parties and from perusal of the FIR, it clearly transpires that there is a specific allegation against the petitioners and other co-accused persons that they brutally assaulted the deceased by means of bricks and stones and ultimately she died. This occurrence was seen by the son of informant. The witnesses in case diary, (in para 3, 6, 7 & 8) have supported the prosecution case. Further it transpires from the inquest report as well as postmortem report



that cause of death was hemorrhage and shock due to mentioned injuries caused by heavy, hard and blunt substances. Postmortem report shows that many antemortem injuries have been caused by hard and blunt substances. The injuries inflicted upon the deceased is on the vital parts of the body, as opined by the doctor, which ultimately resulted in death.

7. Keeping in view the aforesaid facts, the allegation levelled against the petitioners, and the nature of injuries, this Court is not inclined to enlarge the petitioners on bail and, as such, their prayer for anticipatory bail stands rejected.

(S. B. Pd. Singh, J)

prabhakar/-

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

