

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14815 of 2015

Arising Out of PS.Case No. -152 Year- 2014 Thana -MARHAURA District- SARAN

- =====
1. Jang Bahadur Rai son of Ram Dahin Rai
 2. Guddu Kumar Rai @ Guddu Kumar Yadav son of Jang Bahadur Rai
Both Resident of village- Kharauni, P.S.- Marhourah, District- Saran at
Chapra (Bihar)

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar

For the Opposite Party : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-04-2015 Heard learned counsels for the petitioners
and the State.

Learned counsel for the petitioners seeks
permission to withdraw the application with regard to petitioner
No. 2 namely Guddu Kumar Rai @ Guddu Kumar Yadav to file
appropriate application before Juvenile Justice Board since
learned counsel for the petitioner claims that petitioner No. 2 is
juvenile.

Permission is accorded.

Accordingly the application with regard to
petitioner No. 2 namely Guddu Kumar Rai @ Guddu Kumar
Yadav is permitted to be withdrawn.

Petitioner No. 1 is apprehending his arrest in
a case registered for the offences punishable under Sections

147, 148, 149, 302, 307, 323 of the I.P.C.

It is alleged that all the accused persons including the petitioners assaulted with bamboo stick and iron rod to the uncle of the informant as a result the uncle of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that specific accusation of assault is not alleged against the petitioner No. 1 who is aged about seventy years.

A statement has been made in para 3 of the petition that petitioner No. 1 has no criminal antecedent.

Considering the fact that accusation of assault is omnibus and general and the petitioner No. 1 being aged person having no criminal antecedent, let learned Court below consider regular bail of the petitioner, if the petitioner surrenders within a period of six weeks and pray for regular bail in connection with Marhourah P.S. Case No. 152 of 2014.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

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