

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14517 of 2015

Arising Out of PS.Case No. -131 Year- 2014 Thana -ISUAPUR District- SARAN

- =====
1. Surendra Rai son of Late Turi Rai
2. Jitendra Rai son of Surendra Rai
Both are resident of village- Usari Kala, P.S. Isuapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with

Isuapur P.S. Case No. 131 of 2014 registered for the offences
punishable under Sections 147, 149, 323, 324, 307, 504, 506, 109
of the Indian Penal Code.

No doubt, there is case and counter case between the
parties but petitioners are named in the first information report
with accusation that having armed with deadly weapons they
along with others assaulted the informant as a result thereof,
informant sustained altogether four injuries including one grievous
injury.

The contention on behalf of the petitioners is that there is no specific allegation of assault against these petitioners and the informant has sustained only one injury said to be caused by sharp cutting weapon and the aforesaid injury has been found simple in nature.

Taking note of the aforesaid submissions as well as totality of the prosecution case, I am not inclined to grant the privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection with Isuapur P.S. Case No. 131 of 2014 pending in the court of Chief Judicial Magistrate, Saran at Chapra stands rejected.

However, this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail application of the petitioners and furthermore, the concerned court at the time of consideration of regular bail application of the petitioners shall take note of allegation levelled against the petitioners and other accused as well as nature of injury sustained by the informant.

(Hemant Kumar Srivastava, J)

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