

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19133 of 2015

Arising Out of PS.Case No. -146 Year- 2014 Thana -WARSALIGANJ District- NAWADA

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1. Mahesh Singh, s/o late Siya Singh,
2. Ramlagan Singh, s/o late Siya Singh,
3. Shambhu Singh, s/o late Siya Singh,
4. Sagar Singh, @ Sagar Sharma s/o late Siya Singh, All r/o- Rasalpur,
P.S.- Hathiyanwan, Distt.- Shekhpura.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Atul Chandra (App)
Mr. Sunil Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-06-2015 Heard Sri Amresh Kumar Sinha, learned counsel for petitioners, Sri Atul Chandra, learned Addl. Public Prosecutor as well as Sri Sunil Kumar, learned counsel, who has voluntarily appeared on behalf of informant.

Four petitioners, apprehending their arrest in Warsaliganj P.S. Case No. 146 of 2014 registered for the offence under Sections 341, 323, 365, 506/34 of the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for petitioners submits that almost in similar circumstances, two of the co-accused have been granted anticipatory bail by this Court by order dated 19-02-2015, vide Cr.

Misc. No. 6785 of 2015. He further submits that voluntarily the marriage was solemnized, however; since non-fulfillment of demand was raised by the informant side, the present case has been instituted.

Sri Sunil Kumar, learned counsel for the informant opposes the prayer of bail. He submits that age of son of informant is 15 years and he was minor child and he was forcibly kidnapped for the purpose of marriage with a lady aged about 26 years. He further submits that the case of the petitioners is not identical to the case of other two accused persons, who have been granted anticipatory bail by this Court, vide order dated 19-02-2015 passed in Cr. Misc. No. 6785 of 2015.

Besides hearing, I have also perused the materials available on record. So far as other two accused persons are concerned, who have been granted anticipatory bail by this Court, on perusal of the order, it is evident that since they were distant relatives of the petitioners, they have been extended the privilege of anticipatory bail. The case of the petitioners is not exactly similar to the case of other two accused persons, who have been granted anticipatory bail.

Keeping in view the nature of accusation and seriousness of the accusation, I do not find any ground to extend

the privilege of anticipatory bail.

The petition stands dismissed.

It goes without saying that if petitioners appear before the court below within a period of one month from today and make a prayer for regular bail, the learned court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law, particularly; keeping in view the fact that some of the accused persons have been extended the privilege of anticipatory bail.

(Rakesh Kumar, J.)

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