

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12170 of 2015

Arising Out of PS.Case No. -87 Year- 2012 Thana -NAUHATTA District- SAHARSA
=====

1. Mitar Mukhiya S/o Late Shibu Mukhiya
2. Manjay Mukhiya S/o Mitar Mukhiya
3. Lal Mukhiya S/o Mitar Mukhiya
All R/o Village- Dumra, P.s. Nauhatta, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Manish Kumar-Ii(App)
=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 01-05-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Nauhatta P.S. Case No. 87 of 2012 registered for the offences
punishable under Section 307 and other minor sections of the
Indian Penal Code.

There is case and counter case between the parties
and persons from both the sides are said to have sustained injury.

Therefore, in my view, it is not a fit case for grant of
anticipatory bail and, accordingly, the prayer for anticipatory bail
of the petitioners in connection with Nauhatta P.S. Case No. 87 of
2012 pending in the court of Sri A. Kumar, Judicial Magistrate 1st

Class, Saharsa stands rejected.

However, if petitioners surrender before the concerned court within four weeks from today and seek regular bail, the concerned court shall consider the regular bail application of the petitioners on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that both parties have filed cases against each others and persons from both the sides have sustained injury in the alleged occurrence.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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