

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3889 of 2015

Arising Out of PS.Case No. -134 Year- 2014 Thana -GURUA District- GAYA

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1. Rina Devi Wife of - Mukhdeo Chauhan
2. Mukhdeo Chauhan S/o - Mangru chouhan Both resident of village-
Khurha, P.S.- Guruaa, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-05-2015 The petitioners are apprehending their arrest in connection with Guruaa P.S.Case No. 134/2014 instituted under Sections 147, 148, 149, 323, 325, 504 and 307/302 of the Indian Penal Code, pending in the Court of learned C.J.M., Gaya.

Heard learned counsel for the petitioners and the State.

It is alleged by the informant that accused Bijaya Dasmi Rina Devi assaulted his cow upon which cow died. There is also allegation that on 12.10.2014 at about 6.30, 22 persons including the petitioners armed with lathi and iron rod came and started assaulting to the informant, his wife and injured them. Thereafter they assaulted to the father, brother and sister of the informant. In the way when the informant and others were going to admit his father for treatment, informant's father died.

It has been submitted on behalf of the petitioners that the

petitioners have no criminal antecedent. Further it has been submitted that altogether 22 persons have been named in the FIR and no specific allegation has been attributed against the petitioners nor any specific injury has been attributed against the petitioners. It has been further submitted that the father of the informant had sustained injury in course of incident.

On behalf of the State, it has been submitted that the petitioners are named in the FIR and it is a case under Section 302 of the Indian Penal Code.

Considering the fact that it is a case under Section 302 of the Indian Penal Code, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

However, if the petitioners surrender in the court below within a period of six weeks and seek regular bail, the same shall be considered by the court below without being prejudiced by this order. The court below may also take into account the submissions made on behalf of the petitioners while considering the prayer for regular bail and if possible may be disposed of on the same day.

(Sudhir Singh, J)

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