

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34376 of 2014

Arising Out of PS.Case No. -99 Year- 2014 Thana -DESARI District- VAISHALI(HAJIPUR)

1. Laxmi Kumar Singh S/o of Late Ganesh Singh
2. Rakesh Kumar Singh, S/o Late Ganesh Singh
3. Rahul Kumar Singh S/o of Late Ganesh Singh,
4. Deo Nath Singh, S/o of Late Ganesh Singh, All residents of village -
Rampur Baghel , P.S. -Deshri , District - Vaishali .

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

With

Criminal Miscellaneous No.44343 of 2014

Arising Out of PS.Case No. -99 Year- 2014 Thana -DESARI District- VAISHALI(HAJIPUR)

1. Hare Ram Singh @ Pappu Singh, Son of Late Ganesh Singh
2. Amod Kumar Singh, Son of Late Shankar Singh
Both residents of Village-Rampur Baghel, P.S.-Deshri, District-Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.34376 of 2014)

For the Petitioners : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party : Mr. Tapeswar Sharma APP

(In Cr.Misc. No.44343 of 2014)

For the Petitioners : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party : Mr. Anil Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 16-02-2015 Heard both sides.

Petitioners, namely, Laxmi Kumar Singh, Rakesh Kumar Singh, Rahul Kumar Singh and Deo Nath Singh in Cr. Misc. No.34376 of 2014 and petitioners, namely, Hare Ram Singh @ Pappu Singh and Amod Kumar Singh in Cr. Misc. No.44343 of 2014, apprehend their arrest in Deshri (Sahdei O.P.) P.S. Case

No.99 of 2014, registered for the offences punishable under Section 302 and other sections of the Indian Penal Code.

The informant named 11 persons alleging that they having armed with different weapons entered into his house and assaulted his father Sakal Deo Singh, who became unconscious and thereafter brother of the informant was also assaulted. The informant also got injuries on account of the assault made by the accused persons.

Learned counsel for the petitioners submits that the petitioners, of course, are named in the first information report but there is no specific allegation of assault against any of them. The female members of the petitioners are also named in the FIR and they are Rinki Devi, Moni Devi and Gayatri Devi, who have already been granted anticipatory bail vide order dated 11.07.2014 in Cr. Misc. No.28356 of 2014.

On the other hand, learned APP for the State as well as learned counsel for the informant, vehemently oppose the prayer for anticipatory bail of the petitioners.

On perusal of the record it appears that anticipatory bail to Rinki Devi, Moni Devi and Gayatri Devi was granted on considering the ground that they were ladies. Petitioners are alleged to have armed with different weapons such as lathi and

farsa and they are alleged to have assaulted the informant, his father Sakal Deo Singh and his brother Vinay Kumar Singh. Subsequently, Sakal Deo Singh succumbed to his injuries during course of treatment.

Considering the facts and circumstances, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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