

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27745 of 2015

Arising Out of PS.Case No. -307 Year- 2014 Thana -NANHPUR District- SITAMARHI

- =====
1. Bhairo Mishra Son of Harku Mishra
 2. Durgesh Mishra Son of Bhairo Mishra
 3. Chandan Jha @ Deva Son of Subodh Jha
 4. Raman Mishra Son of Punit Mishra All resident of village - Kharka, P.S. Nanpur, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 148, 149, 323, 325, 307, 379 and 504 of the Indian Penal Code.

Allegation against the petitioners is of assaulting informant on account of protest made by her for creating drain on her land for passing out drainage water.

It has been submitted on behalf of the petitioners that they have got no criminal antecedents. It has further been submitted that injury report do not support the allegation made in F.I.R. Petitioners have been falsely implicated in the present case due to creating of drain and passing out of drainage water.

On behalf of the State, it is submitted that there is specific allegation of overt act against the petitioners and two persons are said to have been injured in course of occurrence.

Considering the aforesaid facts and circumstances, I am

not inclined to grant anticipatory bail to the petitioners, same is rejected.

Any how if petitioners surrenders in the court below and prays for regular bail, same shall be considered and disposed of on its own merit preferably on the same day without being prejudiced by this order.

(Sudhir Singh, J)

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