

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28489 of 2015

Arising Out of PS.Case No. -76 Year- 2013 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Shamse Alam son of Sk. Hashmuddin
 2. Reyazuddin alias Roz alias Bhagra son of Late Abdul Hasan
 3. Badare Alam son of Sk. Hashmuddin alias Hashmuddin
 4. Shakil Ahmad alias Sukhari son of Jamil Ahmad alias Nanhak
- All residents of Village Adhkaparia, Police Station Ramgarhwa, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Khatim Reza
For the Opposite Party/s : Mr. Nand Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 24-07-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Ramgarhwa P.S. Case No. 76 of 2013 registered for the offences punishable under Section 307 and other minor sections of the Indian Penal Code as well as Section 27 of the Arms Act.

The contention on behalf of the petitioners is that there was land dispute between the parties and both parties have filed cases against each others. It is also pointed out by him that petitioner no. 4 is a handicapped person and he cannot even move without support of other person but in spite of that he has been

made accused in this case.

Taking note of this fact that altogether five female sustained injuries and there is specific allegation of rape against petitioner no. 1, I am not inclined to grant the privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection with Ramgarhwa P.S. Case No. 76 of 2013 pending in the court of Chief Judicial Magistrate, East Champaran 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.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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