

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47661 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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1. Raghubansh Rai son of Ramvilash Rai @ Ramnandan Rai, resident of village Rasulpur, P.S. Goraul (Kathara-OP), District Patepur
2. Pappu Kumar son of Bishwanath Rai, resident of village Tajpurwa, P.S. Patepur, District Patepur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. B.N. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 03-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Patepur P.S. Case No.10 of 2014 dated 17.1.2014 under section 307 of the Indian Penal Code to which Section 302 was added on 22.2.2014.

It is alleged by the informant that while he was going from village Tejpurwa after stealing Magic Ace vehicle, he was caught by the villagers and assaulted badly.

Learned counsel for the petitioners submits that the stolen Magic Ace vehicle was of petitioner no.1 and in respect of which he lodged Patepur P.S. Case No.9/2014 dated 17.1.2014 under section 379 of the Indian Penal Code. He further submits that petitioner no.2 is attesting witness to the F.I.R.

Learned counsel further submits that co-accused namely Saryug Rai and Raj Kishore Sahni @ Kishori Sahni have been granted bail by this Court by order dated 1.8.2014 passed in Criminal Misc. No.21804 of 2014. He submits that the case of the petitioner is on better footing than the above two co-accused persons.

Having considered the facts and circumstances of the case, I am not inclined to grant anticipatory bail of the petitioners. Their prayer for anticipatory bail is rejected. However, if the petitioners surrender and pray for regular bail, the same would be disposed of preferably on the same day also taking into consideration that the co-accused has been granted bail by this court.

(Samarendra Pratap Singh, J)

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