

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44093 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -BACHHWARA District- BEGUSARAI

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1. Raj Bind Rai @ Raj Bindu Rai @ Babaji Rai @ Babaji Son of Bhagiran Rai @ Bhageran Rai
 2. Jagdish Rai Son of Late Balihari Rai
 3. Chandan Rai Son of Jagdish Rai
 4. Mehi Lal Rai Son of Bhagiran Rai @ Bhageran Rai
 5. Arvind Rai Son of Bhagiran Rai @ Bhageran Rai All are residents of Village - Samsipur, P.S. Bachhwara, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the State : Mrs. Sangita Sharma(App)
For the informant Mr. Jitendra Kr. Roy

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-10-2015 Heard counsel for the petitioners and the informant.

The five petitioners herein seek anticipatory bail vide Bachhwara P.S. Case No. 77 of 2015 registered under section 307 and other allied section of IPC.

The informant was intercepted by two persons and assaulted by fists and slaps. While the informant was going to the police station to register a complaint, some of the co-villagers placated the informant to settle the matter through a Panchayati that could not take place. Efforts made by the Panches to restore congenial atmosphere did not deter the group of persons

constituting/involving the petitioners who hurled abuses and assaulted the informant and his family member by bricks. They also shot fire which did not hit anyone.

The contention of the petitioners is that allegation of causing head injury is attributed to Shyam Rai. The firing said to have been made by two petitioners did not hit the informant or any other person. It is also submitted that there is no head injury sustained by the informant.

Learned counsel for the informant has opposed the prayer and placed the FIR in order to submit that there has been repeated efforts to intimidate the informant and assaulted him by means of lethal weapon which the informant and one lady member received injury.

In my view, this is not a case where the privilege of anticipatory bail can be granted. Prayer is refused.

Let the petitioners surrender and pray for regular bail in the court which will consider the same on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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