

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39124 of 2014

Arising Out of PS.Case No. -83 Year- 2014 Thana -FATEHPUR District- GAYA

1. Madhu Manjhi S/o Etwari Manjhi Resident of village - Paharpur, Police Station - Fatehpur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.49624 of 2014

Arising Out of PS.Case No. -83 Year- 2014 Thana -FATEHPUR District- GAYA

1. Rambali Manjhi Son of Late Kesho Manjhi Resident of Paharpur, P.S. - Fatehpur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.39124 of 2014)

For the Petitioner/s : Mr. Shailesh Kumar

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

(In Cr.Misc. No.49624 of 2014)

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Shantanu Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/19.05.2015

Both the above stated petitions arise out of Fatehpur P.S. Case no. 83/2014 registered under section 307 and other minor sections of the Indian Penal Code and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners are named in the first information report with specific allegation that they participated in assaulting the injured of this case.

No doubt, Investigating officer failed to collect injury report but on account of laxity of the Investigating officer, it can not be said that entire prosecution case is false.

Learned counsel for the petitioners submits that having similar allegation one co-accused Mantu Manjhi has already been granted privilege of anticipatory bail by a coordinate bench of this court but, in my view, it is not a fit case for grant of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection with Fatehpur P.S. Case no. 83/2014 pending in the court of the Chief Judicial Magistrate, Gaya stands rejected.

However, this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail application of the petitioners.

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(Hemant Kumar Srivastava,J)

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