

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47566 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -MAIRWA District- SIWAN

- =====
1. Guddu Singh Son of Late Raj Narayan Singh.
 2. Chhotu Singh @ Vishal Singh, Son of Pralad Singh.
- All are resident of village - Siswan Bujurg, P.S. - Mairwa, District – Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 02-11-2015 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend arrest in Mairwa P.S. Case No. 74 of 2015 dated 02.06.2015 instituted under Sections 341/324/307/504 of the Indian Penal Code.

The allegation against the petitioners and others is of attacking the niece of the informant with ‘Farsa’ and ‘lathi’.

Learned counsel for the petitioners submits that there is case and counter case with regard to land dispute for which there is also pending title suit between the parties. It is submitted that the petitioners besides having no criminal antecedent, the injury report discloses that the wound on the niece of the informant was simple in nature. Learned counsel further submits that there is allegation against both the

petitioners but it has not been specifically stated that whose blow has hit the victim girl.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that there is specific allegation of assault on the head with sharp cutting weapon against the petitioners which is corroborated by the injury report. Learned counsel submits that at this stage, the Court may not examine as to whose blow had hit the victim girl and that the specific allegation in the F.I.R. is corroborated by the injury report.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioners surrender and pray for regular bail before the Court below, the same shall be considered on its own merits in accordance with law. without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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