

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41181 of 2015

Arising Out of PS.Case No. -120 Year- 2002 Thana -KISHUNPUR District- SUPAUL

- =====
1. Chandeshweri Yadav, Son of - Buchha Yadav,
 2. Jiwachh Yadav, Son of Suner Yadav,
Resident of village- Jhajha, Police Station- Kisanpur, District- Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. M.Rab (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 07-10-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 of the Indian Penal Code and 27 of the Arms Act.

The accusation is of making assault to the informant and his father by the FIR named 18 accused persons including the petitioners when the family members were came for rescue they were also assaulted.

It is submitted by the learned counsel for the petitioners that, though, the case was instituted in 2002 but on conclusion of the investigation the petitioners were not sent

up for trial, but differing with the final form the cognizance was taken in 2004 by the learned CJM, Supaul. The order of cognizance was challenged in Criminal Revision No. 69 of 2006 which was dismissed on 23.09.2008, hence, the delay was caused in filing the anticipatory bail application.

This Court is not inclined to interfere in the present anticipatory bail application.

Let the learned court below consider the prayer for regular bail of the petitioners, keeping in view of the fact that the accusation was not found true against the petitioners during investigation and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Kisanpur P.S. Case No. 120 of 2002 pending in the court of learned Judicial Magistrate, Ist Class, Supaul.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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