

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43408 of 2015

Arising Out of PS.Case No. -182 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

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1. Mantu Singh
 2. Munna Singh
 3. Subash Singh @ Subhash Singh
All Sons of Ram Kumar Singh
 4. Karan Singh @ Kiran Singh @ Karn Singh Son of Shivji Singh
All residents of village- Vampali, P.S.- Udwant Nagar, Distt- Bhojpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2015 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with
Udwant Nagar P. S. Case No. 182 of 2015 registered under
Sections 147, 148, 149, 341, 323, 324, 325, 307, 448, 380, 427,
504 and 506 of the Indian Penal Code in which Section 302 of the
Indian Penal Code was also subsequently added.

It is contended that there is no specific allegation of
overtact against the petitioners. Though in the FIR a general and
omnibus allegation has been made against altogether 20 persons to

have participated in the assault, only one injury could be caused to the deceased and two others received simple injuries.

Learned counsel for the informant has vehemently opposed the application. He has contended that similarly circumstanced co-accused Sunil Singh and Sudhir Singh moved application under Section 438 Cr.P.C. before this Court vide Cr. Misc. No. 42070 of 2015, which has already been rejected by a Bench of this Court, vide order dated 12.10.2015.

Be that as it may, regard being had to the serious nature of allegation, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the present application under Section 438 of the Code of Criminal Procedure is rejected. In case, the petitioners surrender and seek bail, the same shall be considered on its own merit without being prejudiced in any manner of this order.

(Ashwani Kumar Singh, J.)

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