

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51230 of 2015

Arising Out of PS.Case No. -217 Year- 2015 Thana -LALGANJ District- VAISHALI (HAJIPUR)

Jai Kishan Rai @ Jai Kishun Rai son of Rijhan Rai, resident of village-
Sarariya, P.S.- Lalganj, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.52956 of 2015

Arising Out of PS.Case No. -217 Year- 2015 Thana -LALGANJ District- VAISHALI (HAJIPUR)

1. Randhir Kumar Son of Anup Rai
2. Jiyalal Rai Son of Late Bhadai Rai
3. Chandradeo Rai Son of Late Bhadai Rai

All are resident of village- Sarariya, P.S.- Lalganj, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

(In Cr.Misc. No.51230 of 2015)

For the Petitioner/s : Mrs. Bela Singh, Advocate.
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.
For the Informant: Mr. Naresh Chandra Verma &
Mr. Lakshmikant Tiwary, Advocates.

(In Cr.Misc. No.52956 of 2015)

For the Petitioner/s : Mrs. Bela Singh, Advocate.
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 17-12-2015 Learned counsel for the petitioner seeks permission
to withdraw the Anticipatory Bail Petition of Chandradeo Rai,
petitioner no. 3 in Cr. Misc. No. 52956/2015.

Prayer is allowed.

Accordingly, the Anticipatory Bail Petition of petition no. 3 Chandradeo Rai is dismissed as has become infructuous.

Heard both sides.

The petitioner in Cr. Misc. No. 51230/2015, namely, Jai Kishan Rai @ Jai Kishun Rai and the petitioners in Cr. Misc. No. 52956/2015, namely, Randhir Kumar and Jiyalal Rai apprehend their arrest in a case under Sections 147, 148, 149, 307, 302, 324/120B of the Indian Penal Code.

The informant alleged that while his father and others were coming after sowing paddy, the wife of Anil Rai picked up quarrel with him that his father sent her husband Anil Rai to jail. It is further submitted that all the accused persons assaulted the father of the informant Dilip Kumar Nanda and the informant and others. Smt. Bela Singh, learned counsel for the petitioners, submits that the petitioners are co-sharer of Anil Rai and, that is why, they have been falsely implicated in the case. No specific allegation is made against the petitioners.

Learned counsel for the informant submits that one family member of the informant was earlier killed by Anil Rai and his family members. The petitioners also assaulted the deceased and the injured.

Considering the facts aforesaid and the fact that there is allegation against the petitioners that they also assaulted Dilip Kumar Nanda and others and Dilip Kumar Nanda died, I am not inclined to enlarge the above named petitioners on anticipatory bail in Lalganj P.S. Case No. 217/2015. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from this order.

(Prabhat Kumar Jha, J)

Dilip/-

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