

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11685 of 2015**

Arising Out of PS.Case No. -669 Year- 2014 Thana -SAHARSA District- SAHARSA

- =====
1. Upendra Das son of Late Sahdeo Das
  2. Bodhi Das son of Kanakir Das
  3. Pulen Das Son of Bodhi Das
  4. Ganga Das Son of Bodhi Das
  5. Shibu Das Son of Late Chhedi Das
  6. Ram Lagan Das Son of Shibu Das
  7. Anil Das Son of Shibu Das All are residents of Sharma Tola, Bengaha,  
Police Station - Saharsa Sadar, District - Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Panchanand Pandit(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      26-03-2015      Heard learned counsel for the petitioners as well as  
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with  
Saharsa Sadar P.S. Case No. 669 of 2014 registered under  
Sections-307, 379 & other minor Sections of the Indian Penal  
Code in which, later on, Section-302 of the Indian Penal Code was  
also added.

From perusal of the first information report, I find  
that there is specific allegation against all the petitioners that they  
assaulted the injured of this case and moreover, in course of

treatment, the injured of this case died and hence, 302 of the Indian Penal Code was added.

Considering the aforesaid facts and circumstances of the case as well as submission of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioners and, accordingly, their prayer for anticipatory bail in connection with Saharsa Sadar P.S. Case No. 669 of 2014 stands rejected.

However, if, petitioners surrender before the court below within six weeks from today and seek regular bail, their regular bail petition shall be disposed off by the learned Chief Judicial Magistrate/concerned court, Saharsa on the date of their surrender and if, after that, they prefer any regular bail petition before the learned Sessions Judge, the regular bail application of the petitioners shall be decided on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that there is case and counter case between the parties and one person from the side of petitioners also sustained injury.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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