

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44718 of 2015

Arising Out of PS.Case No. -100 Year- 2015 Thana -BELA District- SITAMARHI
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1. Ambar @ Istekhar
2. Rahbar,
Both Sons of Md. Kahlik Maulvi

.... Petitioner/s

Versus

The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad(APP)
For the Informant : Mr. Pushpendra Kumar Singh, Advocate
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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 06-11-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 379, 153A, 504 and 506 of the Indian Penal Code.

The prosecution case is that the FIR named accused persons along with 25-30 unknown came to the shop of the informant and abused the informant. On protest being made petitioner no.1, Ambar @ Istekhar with 'farsa' whereas petitioner no.2 Rahbar with iron rod assaulted the informant on his head when other accused persons assaulted the informant with 'lathi'. It is alleged that co-accused Gauhar took away

Rs.30,000/- and robbed clothes worth Rs.20,000/- to 25,000/-.

It is submitted by learned counsel for the petitioners that one girl from the petitioners' community was abducted leading to registration of Bela P.S. Case No.98 of 2015 under sections 363/366A/504/506/34 of the Indian Penal Code on 13.07.2015 and due to said incident the occurrence took place when the present case was registered on 14.07.2015. The injury has been found to be simple in nature and from the injury caused it does not appear that the petitioners have any intention to kill the informant. Moreover, other co-accused persons have been granted anticipatory bail by the learned court below.

It is submitted by learned counsel for the informant that accusation is specific against the petitioners and the persons granted anticipatory bail by the learned court below, the accusation is not specific.

Considering the nature of accusation, and the incident took place in the background of kidnapping of girl of petitioners' community, it is a case for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Bela P.S. Case No.100 of 2015, pending before the learned Judicial Magistrate,

1st Class, Sitamarhi.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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