

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53697 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -AKBARNAGAR District- BHAGALPUR

- =====
1. Bilash Singh @ Biltu @ Bittu
 2. Santu Singh
 3. Ram Balak Singh
- All are sons of Amin Singh
4. Amin Singh son of Late Udho Singh
- All are resident of village - Kharaihiya, P.S. Akbarnagar, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md.Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-12-2015 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

At the outset, learned counsel for the petitioners submits that during the pendency of the application, the petitioner no.4 Amin Singh has already been arrested.

In that view of the matter, **the application for anticipatory bail filed on behalf of petitioner no.4, namely, Amin Singh is disposed of as infructuous.**

While pressing the application for pre-arrest bail of other three petitioners, it has been contended that the FIR, in question, was instituted after nine days of the occurrence under Sections

341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code and there is no explanation for the delay caused in instituting Akbarnagar P.S. Case No.65 of 2015.

On the other hand, learned counsel for the informant has submitted that the informant was badly assaulted by the petitioners on 7th July, 2015. On the same day, he was taken to Jawaharlal Nehru Medical College and Hospital, Bhagalpur. The doctor examined him on 18th July, 2015 and found three grievous injuries on his person. Since he was senseless, his fardbeyan could not be recorded earlier. He further contended that till date the informant is hospitalized and is undergoing treatment.

Regard being had to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their application for pre-arrest bail is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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