

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53557 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -CHEWRA District- SEKHPURA

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Ranjeet Kewat son of Nunu Lal Kewat, resident of village - Chewara, P.S. -
Chewara, District - Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

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

The petitioner seeks pre-arrest bail in connection with
Chewara P.S. Case No.5 of 2015 registered under Sections 147,
148, 149, 448, 427, 337, 338, 332, 333, 353, 323, 326, 325, 307
and 120B of the Indian Penal Code.

According to the prosecution case, thirty seven named
persons including the petitioner and hundred unknown persons
being variously armed with *Lathi*, *Danda* and rod in their hands
came and attacked the police station and damaged the police jeep
as well as furniture and documents kept in the police station. They
also pelted stones. When the informant, who is SHO of the police
station, protested, one of the co-accused, namely, Suresh Kewat
assaulted him with some sharp cutting weapon on his head as a

result of which he sustained fracture injury. Thereafter, the members of the mob assaulted him with *Lathi*, *Danda* and iron rod.

It is contended that save and except one injury on the head of the informant, all other injuries are simple in nature. The further contention is that there is omnibus and general allegation against 137 persons including the petitioner and out of them co-accused persons, namely, Pradeep Saw and Prakash Kewat have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 14.10.2015 passed in Cr.Misc. No.45367 of 2015.

Learned counsel for the State has contested the matter. He has contended that the case of the petitioner is distinguishable from the case of Pradeep Saw and Prakash Kewat. One of the considerations for grant of bail to these two accused persons was that they were having no criminal antecedent whereas the petitioner has been made accused in another case being Chewara P.S. Case No.4 of 2014 registered under sections 147, 148, 149, 384, 385, 386, 387, 504 and 506 of the Indian Penal Code.

I have heard the parties and perused the materials on record.

With due respect to the aforesaid order dated 14.10.2015

passed by a co-ordinate Bench of this Court, in view of the gravity of the offence, I am not inclined to enlarge the privilege of anticipatory bail to the petitioner.

Accordingly, the application is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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