

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31923 of 2014

Arising Out of PS.Case No. -189 Year- 2013 Thana -RAFIGANJ District- AURANGABAD

1. Suresh Yadav Son of Ramji Yadav.
2. Bhola Yadav Son of Suresh Yadav
Both Resident of Village Chandaul, P.S. Raffiganj, District-
Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr.

For the Opposite Party : Mr.

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

3. 21.01.2015 Heard learned counsel for the petitioner no. 1
(with regard to whom the bail application now stands limited
in view of the order dated 03.12.2014) and learned A.P.P. for
the State.

The petitioner no.1 apprehends arrest in
Rafiganj P.S. Case No. 189 of 2013 dated 26.09.2013
instituted under Sections 147/148/149/341/323/325/307/
375/295A of the Indian Penal Code.

Learned counsel for the petitioner no.1
submits that there was scuffle between both sides and the
injuries are simple in nature.

Learned A.P.P. opposes the prayer for bail and
submits that the petitioner no. 1 has criminal antecedent and
since there is no counter case, the defence that the petitioner
was also assaulted prior to getting into scuffle with the

informant is not borne out from the facts of the case.

In view of the aforesaid, the Court is not inclined to enlarge the petitioner no. 1 on anticipatory bail. He may surrender before the Court below and seek regular bail. The Court below shall consider the case on its own merits in view of the observations made in the order of the learned Sessions Judge, Aurangabad dated 28.06.2014 without being prejudiced by the fact that this Court has declined to grant anticipatory bail to petitioner no. 1.

Accordingly, the application stands disposed off.

(Ahsanuddin Amanullah, J.)

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