

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33210 of 2014

Arising Out of Natwar PS.Case No. -23 of 2014, Thana -NATWAR
District- SASARAM (ROHTAS)

- =====
1. Birendra Singh @ Bhuwar Singh son of Sri Vishwanath Singh
 2. Ritesh Kumar @ Ritesh Singh son of Rajendra Singh
 3. Raj Kumar Singh son of late Baban Singh.

All residents of village Khairhi, P.S. Natwar, District Rohtas

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek

For the Opposite Party/s : Mr. M.K.Khare(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

2 04-02-2015 This is an application made under Section 438 Cr.P.C., seeking pre-arrest bail by the petitioners, namely, (1) Birendra Singh @ Bhuwar Singh, (2) Ritesh Kumar @ Ritesh Singh and (3) Raj Kumar Singh, in connection with Natwar P.S.Case No. 23/2014 under Sections 147/148/149/224/225/332/253/504 of the IPC.

Perused the above application and materials on record including a copy of the order, dated 05.06.2014, passed in A.B.P.No. 1076 of 2014, by the learned Sessions Judge, Rohtas, Sasaram, dismissing the said application for pre-arrest bail.

Heard Mr. Abhishek, learned Senior counsel for the petitioners, and Mr. M.K.Khare, learned APP, appearing for the State.

Natwar P.S. Case No. 23 of 2014 has come to be registered on the basis of a *First Information Report* lodged by a police officer stating to the effect that when the police party had gone to arrest one Sanjay Singh, an accused person, who was wanted in connection with Buxar (T) P.S. Case No.20/14, the villagers had not only resisted the police party from taking accused Sanjay Singh into custody, but also attempted to assault the police force. It was in this factual background that the pre-arrest bail application of the petitioners was rejected by the learned Sessions Judge.

This Court finds no illegality in the order, dated 05.06.2014, passed by the learned Sessions Judge.

It has, however, been brought to the notice of the Court that one of the accused persons has moved this Court in connection with Natwar P.S. Case No. 23/2014 and an order has been passed, on 2.2.2015, in Cr.Misc.No. 32495 of 2014, giving liberty to the accused person to surrender in the Court of the Judicial Magistrate, 1st Class, Bikramganj, Rohtas, at Sasaram, and file an application for regular bail.

In view of the above and in the interest of justice, these petitioners, too, are given the liberty to appear in the Court of the Judicial Magistrate, 1st Class, Bikramganj, Rohtas, at Sasaram, in connection with Natwar P.S. Case No. 23/2014 and if, upon their appearance in the learned Court below, they file application for regular bail under Section 437 Cr.P.C., the learned Court below shall consider and dispose of the same in accordance with law.

With the above observations and directions, this bail application shall stand disposed of.

(I. A. Ansari, J)

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