

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34817 of 2014

Arising Out of PS.Case No. -106 Year- 2014 Thana -MAJORGANJ District- SITAMARHI

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1. Pramod Rai @ Pramod Kumar S/o Yogi Rai @ Yogendra Rai
2. Shambhu Rai S/o Yogi Rai @ Yogendra Rai Both Resident of Village Pachaharwa, P.S. Majorganj, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate.

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-03-2015 Heard both sides.

The petitioners apprehend their arrest in Majorganj P.S. Case No. 106 of 2014, registered for the offences punishable under Section 436, 308 and other Sections of the Indian Penal Code.

The informant named the petitioner and alleged that the petitioner assaulted him and his nephew Girinder Rai. The petitioners are alleged to have assaulted the informant and the petitioner Pramod Rai set ablaze the house of the informant.

Sri N.K. Agrawal, the learned Sr. counsel submits that the case of the petitioners bearing Majorganj P.S. Case No. 96 of 2014 is filed earlier in point of time. The informant of the present case gave his fardbeyan on 10.03.2014, but the FIR was lodged on

16.03.2014. There is inordinate delay.

It appears that, of course, there is case and counter case, but there is specific allegation against the petitioner that they assaulted the informant and his nephew. The informant Munga Lal Rai got grievous injury as 5th, 6th and 8th rib of his chest were found fractured. There is allegation of setting ablaze the house.

Considering the facts aforesaid I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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