

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28324 of 2013

Arising Out of PS.Case No. -145 Year- 2011 Thana -SAHPUR District- PATNA

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1. Shankar Rai, S/o Baidyanath Rai, Resident of Shankarpur, P.S. Shahpur, District Patna.
 2. Binod Rai, S/o Shankar Rai, Resident of Shankarpur, P.S. Shahpur, District Patna.
 3. Rahul Rai, S/o Shankar Rai, Resident of Shankarpur, P.S. Shahpur, District Patna.
 4. Jwala Rai, S/o Shankar Rai, Resident of Shankarpur, P.S. Shahpur, District Patna.

.... Petitioners

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ashok Kr. Jha, Adv.

For the Opposite Parties : Mr. Shailendra Kumar-I(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 01-04-2015 The petitioners figured as accused in Shahpur P.S. Case No.145 of 2011, wherein offences referable to Sections- 341, 323, 324, 307 and 504/34 of I.P.C. and Section-27 of the Arms Act were alleged.

Apprehending arrest, the petitioners filed A.B.P. Nos.4172 of 2012, 2885 of 2012 and 101 of 2013, in the court of learned Sessions Judge, Patna. The learned Judge rejected the applications through orders dated 5.10.2012, 25.7.2012 and 7.5.2013 respectively. Hence, this application for grant of anticipatory bail under Section-438 of Cr.P.C.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The allegation against the petitioners is that in a dispute in relation to land, some of the petitioners have used weapons and fired shots aiming at the complainants. When such is the seriousness of allegations, the petitioners cannot be granted anticipatory bail. The application is dismissed.

If they are so advised, the petitioners can surrender before the court of A.C.J.M., Danapur (Patna) and move application for regular bail. It is also directed that in case the petitioners do not surrender before the Court within one month and the police fails to apprehend the petitioners, the Sr. S.P., Patna, shall initiate action against the concerned Station House Officer for failure to arrest them.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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