

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31042 of 2015

Arising Out of PS.Case No. -59 Year- 2015 Thana -GURUA District- GAYA

- =====
1. Dinesh Prasad Son of Ramdeo Prasad
 2. Chhoto Prasad Son of Dinesh Prasad All are Resident of village - Baiju Bigha, P.S. Gurua, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-08-2015

Heard learned counsels for the petitioners

and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 323, 325, 341, 428, 435, 504, 506 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

It is alleged that the accused persons including the petitioners came to the door of the informant, assaulted the informant, his brother and dragged them to their house and after tying hands and feet kept them confined therein and thereafter again assaulted. On hearing the alarm the villagers came and got them free. It is further alleged that accused persons also put the hutment of the informant on fire when 60 chickens burnt to ashes.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general. There is counter version of the occurrence also. Moreover similarly situated co-accused has been granted anticipatory bail vide Cr. Misc. No. 31239 of 2015.

Considering the fact that F.I.R reflects that informant and his brother were brutally assaulted and after receiving injuries were taken to the Primary Health Centre, Gurua and from there to the Magadh Medical College but the injury reports are not on record, hence this Court is not inclined to grant privilege of anticipatory bail to the petitioners. However, since similarly situated co-accused has been granted anticipatory bail, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Gurua P.S. Case No. 59 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Sherghati, Gaya.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--