

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49838 of 2015

Arising Out of PS.Case No. -63 Year- 2015 Thana -GURUA District- GAYA

- =====
1. Mukesh Vishwakarma S/o Late Ram Prasad Vishwakarma,
 2. Naresh Vishwakarma S/o Late Ram Prasad Vishwakarma.
 3. Rajesh Vishwakarma S/o Late Ram Prasad Vishwakarma,
All Resident of Village- Rajan, P.S.- Gurua, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar Dutt

For the Opposite Party/s : Mr. Indihar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 06-11-2015

Heard learned counsel for the parties.

Having regard to the nature of the order passed by the learned Sessions Judge while rejecting the anticipatory bail of the petitioners, reading as follows:-

“--- the court regard being had to the nature of accusation and considering the same with the submissions made on the part of the either side is of the view that these petitioners must surrender in the learned court below and seek regular bail as the nature of accusation taken into consideration in its entirety shows the involvement of these petitioners in alleged making of assault on the informant and his family members.

Therefore, the anticipatory bail application of the petitioners is hereby rejected with direction to them to surrender in the learned court below within two weeks of the date of the receipt of the copy of this order and pray for regular bail, whereupon it is expected that the learned

court below without being prejudiced by the order of this court will consider the same with the defence of the petitioners as well as other materials on the record including the injury reports and if the injuries caused to the informant and other family members are found to be caused to the informant and her family members are found to be simple in nature then will dispose of their bail application preferably on the same day by passing an appropriate order.”

this Court is of the considered view that present anticipatory bail application should not have been filed on 16.10.2015 well after one and half months in view of the aforesaid direction given by the learned Sessions Judge.

That being so, this application, being frivolous, is hereby dismissed.

(Mihir Kumar Jha, J)

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