

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49815 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -BELAGANJ District- GAYA

- =====
1. Bhattu Yadav Son of Late Bhagirath Yadav
 2. Sarup Yadav @ Ram Swaroop Yadav Son of Jageshwar Yadav
 3. Bishundeo Yadav @ Vishnu Deo Yadav Son of Late Ram Lakhan Yadav
 4. Rama Yadav Son of Late Bhagirath Yadav All resident of Village - Neuri, P.S. - Belaganj, District - Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.50002 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -BELAGANJ District- GAYA

- =====
1. Kapil Yadav Son of Bhattu Yadav,
 2. Bhui Yadav, Son of Bhattu Yadav, Both are resident of village - Neuri, P.s. - Belaganj, District - Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.49815 of 2015)

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Umanath Mishra(App)

(In Cr.Misc. No.50002 of 2015)

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mrs. Rita Verma(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 307 and allied offences of the Indian Penal Code including 341, 232, 354, 504/34 of the Indian Penal Code when this Court would find that a sixty years old lady was not only

mercilessly assaulted but also sought to be drown forcibly in a well by the petitioners, this Court would not find them to be entitled for privilege of anticipatory bail.

The submission of the learned counsel for the petitioners that the injuries do not support the same is also not acceptable to this Court, inasmuch as in normal course a person sought to be drown in the well against his or her wishes will get the injuries only in knees and elbow and that has been found apart from injury no.3 on the person of the victim lady.

Thus, the prayer for anticipatory bail of the petitioners is, hereby, rejected and they must surrender and pray for regular bail which of course shall be considered on its own merits without being prejudiced by anything said in this order.

(Mihir Kumar Jha, J)

surendra/-

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