

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36758 of 2014

Arising Out of PS.Case No. -100 Year- 2013 Thana -BELA District- SITAMARHI

- =====
1. Ram Kishore Sah Son of Late Jagdeo Sah
 2. Shekhar Sah @ Chandra Shekhar Kumar Son of Ram Kishore Sah
- Both resident of village- Nocha, P.S.- Bela, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the two petitioners facing prosecution for offence under Section 448, 323, 324, 307, 504/34 of the Indian Penal Code, this Court would not be inclined to grant privilege of anticipatory bail to the petitioners because the doctor examining injury of the injured has found wound on vital portion of the body as is clearly mentioned in paragraph no.5 and 6 of the order of the Sessions Judge. As a matter of fact, when in the first information report also it was clearly alleged that the petitioners with other accused persons armed with Bhala and Farsa had given blows on the injured, this Court in presence of corroborating injuries would find the allegation made by the informant to be prima facie true which in

turn would make the petitioners liable to surrender and seek regular bail.

That being so, the prayer for anticipatory bail of the petitioners is rejected but it is made clear that if the petitioners surrender and seek regular bail, their such prayer shall be considered on its own merit and also without being prejudiced in any manner by any thing said in this order.

(Mihir Kumar Jha, J)

Rishi/-

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