

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39650 of 2014

Arising Out of PS.Case No. -318 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

1. Manish Raj Mayank @ Manish Ram, Son of Bhola Ram, Resident of Village - Baraini, P.S. - Kahalgaon, District – Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43232 of 2014

Arising Out of PS.Case No. -318 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

1. Bhola Ram Son of Late Antu Ram

2. Rajan Ram Son of Yogi Ram

Both are resident of village - Braini, P.S. - Kahalgaon, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.39650 of 2014)

For the Petitioner/s : Mr. Tarun Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Atul Chandra (APP)

(In Cr.Misc. No.43232 of 2014)

For the Petitioner/s : Mr. Tarun Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar No.1 (APP)

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 10-04-2015

The petitioners figured as accused in Kahalgaon P.S. Case No.318 of 2014 wherein offences punishable under Sections 342, 323, 379, 504 read with 34 of the Indian Penal Code were alleged. Apprehending their arrest, the petitioners filed ABP No.1863 and 2032 of 2014 respectively before the Sessions Judge, Bhagalpur. The same were rejected on

27.08.2014 and 16.09.2014 respectively. Hence, these applications for grant of anticipatory bail under Section 438 Cr. P.C.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

It is alleged that the petitioners caused serious injuries to the complainant with a butt of a gun. The injury certificate, annexed as Annexure-3, discloses that at least one injury is serious and several other injuries were received.

In a case of this nature, this Court is not inclined to grant anticipatory bail. The petitioners can surrender before the trial Court and apply for regular bail.

Hence, both these applications are dismissed, leaving it open to the petitioners to surrender before the trial Court, Bhagalpur, in connection with Kahalgaon P.S. Case No.318 of 2014, and move an application for regular bail. In such event, the trial Court shall take up the same without loss of time.

(L. Narasimha Reddy, CJ)

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