

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25615 of 2015

Arising Out of PS.Case No. -19 Year- 2015 Thana -PARAIYA District- GAYA

- =====
1. Krishna Yadav S/o Dashrath Yadav
 2. Niranjana Kumar Yadav @ Niranjana Kumar S/o Pramod Yadav
 3. Raghunandan Kumar @ Raghudran Kumar S/o Binod Yadav
 4. Binod Yadav S/o Dashrath Yadav
 5. Pramod Yadav @ Pramod Jadav S/o Dashrath Yadav
 6. Munna Kumar S/o Vijay Yadav
 7. Satish Yadav S/o Ramlakhan Yadav All are resident of Village-Khaira, P.S.- Paraiya, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in Paraiya P.S.Case No.19 of 2015 instituted under Sections 436, 427, 506, 504, 323, 341, 147, 148 and 149 of the Indian Penal Code and Section 3(i)(iii)(x) 3(2) (iv) Scheduled Caste & Scheduled Tribe (Prevention of Atrocities)Act, pending in the Court of Smt. Kalpana Srivastava, Judicial Magistrate, Ist Class, Gaya.

It is alleged by the informant that the petitioners forming an unlawful assembly armed with deadly weapon like *lathi-danda* etc. came to the house of the informant and after abusing with filthy words assaulted him and his other family

members in brutal manner due to which they sustained injuries. There is also allegation that in course of making assault they also put the house of the informant on fire due to which the house hold articles kept there in burnt to ashes.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It has also been submitted that it is a case and counter case. As per the prosecution case both sides have sustained injuries. It has been submitted on behalf of the petitioners that from perusal of the injury report, it would appear that all the injuries are simple in nature.

It has been submitted on behalf of the State and the Informant that the present application for anticipatory bail is not maintainable.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioners and the same is rejected.

Any how, if the petitioners surrender in the court below within a period of six weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

B.Kr./-

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