

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33875 of 2015

Arising Out of PS.Case No. -195 Year- 2012 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Nandeshwar Rai Son of Late Nabudi Rai
 2. Chandan Rai son of Nandeshwar Rai
 3. Ratan Rai son of Nandeshwar Rai. All resident of village Majhauri, P.S. Bidupur, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha

For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-08-2015 Heard learned counsels for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 143, 149, 307, 323, 324, 341, 379, 452, 504 of the Indian Penal Code.

It is alleged that accused persons including the petitioners came and started abusing the informant and on protest being made petitioner No. 2 gave sickle on the head of the informant causing bleeding injury and when father of the informant came to rescue he was assaulted by petitioner No. 1 with garasa on his head. Thereafter when mother of the informant came to rescue she was assaulted by petitioner No. 3 with sickle. It is also alleged that co-accused Rampati Devi and

Lalan Kumar assaulted the mother of the informant by lathi and Chandan Rai took Rs. 15,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 07.08.2012 the First Information Report was registered on 16.08.2012 though for the same occurrence petitioners' side lodged Biddupur P.S. Case No. 190 of 2012 on 07.08.2012 itself. It is further submitted that though one of the injuries of the informant's side has been found to be grievous but petitioners' side also received injuries.

Since the case was registered in 2012, this Court is not inclined to grant anticipatory bail to the petitioners. However, on merits since the F.I.R was lodged with inordinate delay and the case lodged by the petitioners' side is at earlier point of time, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Biddupur P.S. Case No. 195 of 2012, pending in the Court of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

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