

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16086 of 2016

Arising Out of PS.Case No. -252 Year- 2015 Thana -MANIYARI District- MUZAFFARPUR

Dinesh Chandra Jha Son of Late Gopal Jha, R/o Village- Susta, P.S.- Sadar,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.16297 of 2016

Arising Out of PS.Case No. -252 Year- 2015 Thana -MANIYARI District- MUZAFFARPUR

- 1. Rajan Rai
 - 2. Jalim Rai
 - 3. Mukesh Rai @ Mukesh Kumar
 - 4. Jitendra Rai @ Jitendra Kumar, all sons of Shiv Balak Rai
 - 5. Rajendra Rai, S/o Hirday Rai
 - 6. Ravi Kumar @ Ravi Rai S/o Rajendra Rai
 - 7. Dharmendra Kumar @ Dharmendra Rai S/o Rajendra Rai
- All R/o Vill.- Madhopur, P.S.- Maniyari, Distt.- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

(In Cr. Misc. No.16086 of 2016)

- For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.
- For the Opposite Party/s : Mr. Sadanand Paswan, A.P.P.

(In Cr. Misc. No.16297 of 2016)

- For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate.
- For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-07-2016 Heard both sides.

Petitioner of Cr. Misc. No. 16086/2016, namely,

Dinesh Chandra Jha and petitioners of Cr. Misc. No. 16297/2016,

namely, Rajan Rai, Jalim Rai, Mukesh Rai @ Mukesh Kumar,

Jitendra Rai @ Jitendra Kumar, Rajendra Rai, Ravi Kumar @ Ravi Rai and Dharmendra Kumar @ Dharmendra Rai, apprehend their arrest in Maniyari P.S. Case No. 252/2015 registered under Sections 147, 148, 149, 323, 341, 307, 364 of the Indian Penal Code and Section 3(i)(x) of the SC/ST Act.

The informant, brother of Anshu Kumar, alleged that while his brother Anshu Kumar was returning after giving newspaper at the house of Arun Jha, Arun Jha and other accused persons including the petitioners caught his brother, brutally assaulted him and took him to a different village. It is submitted that the petitioners have falsely been implicated in the case only because Sadar P.S. Case No. 559/15 and Harijan P.S. Muzaffarpur Case No. 13/15 were registered between the parties and the informant was putting pressure to compromise the case. It is submitted that out of eight injuries found on the person of the brother of the informant, only one injury is grievous.

Having considered the fact that there is specific allegation that the accused persons including the petitioners brutally assaulted Anshu Kumar and also took him to a different village and assaulted him and eight injuries were found on different parts of his body, I am not inclined to enlarge the above named petitioners on anticipatory bail in Maniyari P.S. Case No.

252/15. Accordingly, the same is rejected.

If the petitioners surrender in the court below, the court below shall consider the prayer for regular bail of the petitioners taking into consideration that one of the accused persons, namely, Arun Jha has already been granted regular bail vide order passed in Cr. Misc. No. 871/2016 and dispose of the bail petition as soon as possible.

(Prabhat Kumar Jha, J)

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