

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19690 of 2016

Arising Out of PS.Case No. -375 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Rajendra Roy Son of Late Horil Roy resident of village- Mahua
Mukundpur, P.S.- Mahua, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan

For the Opposite Party/s : Mrs. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-05-2016 Heard Sri Aditya Narayan, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Mahua
P.S. Case No. 375 of 2015 registered for the offence under
Sections 147, 148, 149, 353, 323, 333, 307, 342, 337/338, 435 of
the Indian Penal Code and Sections 3/4 of Essential Service
Maintenance Act, 1981, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that almost
in similar situation, some of the accused persons have been
granted privilege of anticipatory bail by a Bench of this Court by
order dated 30-11-2015 passed in Cr. Misc. No. 54227 of 2015.

In view of nature of accusation, at least I am of the
opinion that in such cases, normally anticipatory bail may not be

granted. Since others have been granted anticipatory bail, instead of dismissing the present petition, I propose to dispose of the present petition, with an observation that if petitioner appears before the court below and makes a prayer for regular bail within a period of six weeks from today, the learned court below may examine the same and pass appropriate order in accordance with law. While considering the bail petition, the learned court below, keeping in the mind that some of the other accused persons having similar accusation have been granted anticipatory bail, may pass order on the bail petition preferably on the same date.

The petition stands disposed of.

(Rakesh Kumar, J.)

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