

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21416 of 2016

**Arising Out of PS.Case No. -76 Year- 2015 Thana -SANGRAMPUR District-
MUNGER**

1. Uttam Yadav son of Chandeshwar Yadav,
2. Satan Yadav, Son of Muneshwar Yadav, Both are resident of village-
Maheshpur, P.S.- Sangrampur, District- Munger Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 19-05-2016 The petitioners apprehend arrest in a case under sections 307, 302 and other allied sections of the Indian Penal Code.

The allegation is that on 13.6.2015 accused persons surrounded the father of the informant with Lathi, Danda, Bhala and pistol on account of which he succumbed to the injuries on 22.6.2015.

The petitioners submit that the FIR has been lodged after thought i.e. after delay of 10 days and one day after the death of informant's father. He further submits that with respect to the same incident a counter case was also instituted from their side against the prosecution side including the deceased. The said case has been registered as Sangrampur Police station Case No. 67 of 2015 under sections 341, 323,

324,504/34 of the Indian Penal Code. He next submits that two ladies who had also been made accused in the instant case, have already been allowed anticipatory bail by this Court vide order dated 19.1.2015, passed in Cr.Misc.No.55438 of 2015.

In my view, the grounds mentioned by the petitioner could be good ground for regular bail on point of delay in instituting FIR. As such, if the petitioners, as mentioned above, surrender and pray of regular bail, the same would be disposed of on its own merit without prejudice, preferably on the same day.

(Samarendra Pratap Singh, J)

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