

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48028 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -PALASI District- ARRARIA

- =====
1. Tahir Khan son of Late Basir Khan
 2. Jamal Khan @ Bhutai @ Bhutiya son of Late Sudhan Khan
 3. Azad Khan son of Saidul Khan
 4. Sahees Khan son of Sakun Khan All resident of village- Bansar, P.S.-
Palasi, District- Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 05-02-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 307, 324 and some other allied offences under the Indian Penal Code.

Though, the learned counsel appearing on behalf of the petitioners submits that there are case and counter-case and there is a land dispute between the parties, but taking into consideration the fact that the petitioners, besides others, are alleged to have assaulted on the vital part of the body of the injured persons and two persons sustained grievous injuries on their head, which has been noticed by the learned Sessions Court in his impugned order, and further taking into consideration that they are said to be accused in other case also, this Court is not inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for anticipatory bail in connection with Palasi P.S. Case No. 107 of 2015 pending in the Court of the learned Judicial Magistrate, 1st Class, Araria, is

rejected.

However, if the petitioners surrender in the court below within a period of four weeks from today and apply for regular bail, then the same shall be considered and decided on its own merit without being prejudiced by the present order.

If possible, the learned court below shall make all endeavours to dispose of the application of bail on the same day.

(Birendra Prasad Verma, J)

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