

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31845 of 2016

Arising Out of PS.Case No. -157 Year- 2016 Thana -DHURAIYA District- BANKA

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1. Fida Hussian @ Md. Fida Hussain S/o:- Late Liyakat
 2. Md Mahaldar @ Md. Maldar @ Mahaldar, S/o:- Md. Mumtaz
 3. Md. Noor Alam S/o:- Md. Sarafat
 4. Md. Rijwan s/o :- Late Habul

All residents of Village:- Pipra, P.S- Dhoraiya, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 26-08-2016 Heard Sri Praveen Kumar, learned counsel for the

petitioners and Smt. Pushpa Sinha, learned Addl. Public

Prosecutor.

Four petitioners, who are named as accused in
Dhoraiya P.S. Case No.157 of 2016 registered for the offence
under Sections 147, 148, 149, 341, 323, 307, 379, 504 , 506 of the
Indian Penal Code and under Sections 3 and 4 of the Explosive
Substance Act, have prayed for grant of bail in the event of their
arrest.

It was submitted by learned counsel for the
petitioners that in the F.I.R. save and except that petitioner nos. 1
and 2 were present in the occurrence, there is no allegation of

overt act. So far petitioner nos. 3 and 4 are concerned, learned counsel for the petitioners accepts that there is some accusation against them of participation in the occurrence, whereas on perusal of the F.I.R., it is evident that there is allegation, which includes the petitioners, that they arrived and two bombs were thrown, which exploded. The allegation of using bomb appears to be corroborated from the injury report also.

Keeping in view the nature of accusation and the fact that the petitioners are named accused in the F.I.R., there is no reason to extend the privilege of anticipatory bail to the petitioners.

The petition stands dismissed.

(Rakesh Kumar, J)

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