

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28461 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -MEDANICHOWK District- LAKHISARAI

- =====
1. Sudhanshu Kumar, son of Late Narayan Mahto
 2. Amar Kumar son of Kailash Mahto
 3. Chandan Kumar, son of Shree Lal Mahto
 4. Chandan Kumar, son of Brahmdeo @ Halkhori Mahto
- All residents of village- Debghara Chai (Chandra) Tola, P.S. Mednichowki, District- Lakhisarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-07-2016

Heard Sri Ram Sewak Chaudhary, learned counsel

for the petitioners and Sri Rajendra Singh Shastriji, learned Addl.
Public Prosecutor.

Four petitioners, who are named as accused with
specific accusation in Mednichowki P.S. Case No.18/16 registered
for the offence under Sections 147, 148, 341, 323, 354(A), 353,
307, 504, 506 and 427 of the Indian Penal Code, have prayed for
grant of anticipatory bail.

It was submitted by learned counsel for the
petitioners that in view of last portion of the F.I.R. it is evident
that on instigation by the general public number of students had

committed the occurrence. He submits that in identical situation, three of the named accused persons have been extended the privilege of anticipatory bail by a Bench of this Court on 01.07.2016 vide Cr.Misc.No. 26161 of 2016. On the strength of the said order, a prayer has been made to extend the same privilege to the petitioners.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail.

Besides hearing learned counsel for the parties, I have also perused the materials on record. On going through the F.I.R., it is evident that all accused persons including the petitioners, who were named accused in the F.I.R. and some other unknown persons suddenly entered into the school premises after breaking the gate, brutally assaulted the principal and misbehaved with the lady teachers. In such a case, where the principal of the School and lady teacher had been misbehaved, this Court is of the opinion that the accused named in the F.I.R. may not be extended the privilege of anticipatory bail, otherwise it may amount to encouraging such offenders. Of course, some of the accused persons have been extended the privilege of anticipatory bail, but this Court is of the opinion that in such situation, the prayer for anticipatory bail is not required to be entertained, The petition

stands dismissed.

(Rakesh Kumar, J)

