

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28328 of 2016

Arising Out of PS.Case No. -128 Year- 2011 Thana -SARAIYA District- MUZAFFARPUR

- =====
1. Vinod Thakur Son of Jagdeo Thakur resident of village Rewa, P.S. - Saraiya, District - Muzaffarpur.
 2. Shyam Sahi @ Shyamdeo Sahani S/o late Heera Sahni resident of village - Rewa South, P.S. - Saraiya, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Opposite Party/s : Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 26-07-2016

Heard Sri Dhananjay Mishra, learned counsel for petitioners and Sri Nagendra Prasad, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Saraiya P.S. Case No. 128 of 2011 registered for offences under Sections 147, 148, 149, 186, 188, 341, 342, 323, 324, 325, 326, 307, 427, 431, 337, 338, 380, 452, 353, 504 & 506 of the Indian Penal Code and Section 27 of the Arms Act, 1959, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for petitioners that large number of persons have been arrayed as accused in the F.I.R. and there is nothing against the petitioners. It has further

been argued that in the present case, almost in similar circumstances, some of the accused persons have been extended the privilege of anticipatory bail and as such, he makes a prayer for grant of anticipatory bail.

In view of nature of accusation, the Court is not inclined to extend the privilege of anticipatory bail. However, in view of the fact that some of the accused persons have been granted anticipatory bail, the Court proposes to dispose of the present petition, with an observation that if within a period of six weeks from today, petitioners appear before the court below and make a prayer for regular bail, the learned court below, without being prejudiced with this order and considering the fact that some of the other accused have been extended the privilege of anticipatory bail, may consider the prayer for regular bail in its right perspective and pass appropriate order, preferably on the same date.

The petition stands disposed of.

(Rakesh Kumar, J.)

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