

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54529 of 2016

Arising Out of PS.Case No. -129 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Wasim,
2. Nasim,
3. Sonu,
4. Ehsan,

All son of Hasnain and Resident of Village- Ramdiha, Police Station-
Chakia, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 22-12-2016 Heard Mr. Kumar for the petitioners and Mr. Dayal, APP
for the State.

Petitioners, four in number, are cited accuseds in Chakia
P.S. Case No. 129 of 2016 registered under sections 341, 323, 307,
379, 354/34 of the Indian Penal Code and they pray for grant of
anticipatory bail.

While the informant was at home, it is alleged that all the
accused persons entered into the house during night and
committed loot inside the house. The informant was inflicted
injury on his head. It is also alleged that they misbehaved with the
wife of the informant and raised alarm which attracted villagers
whereafter they escaped.



Contention of the petitioners is that superficial injury has been received by the informant. There is embellishment in the prosecution case. Petitioners are neighbours. The three accuseds named in the F.I.R., on surrender, have been granted privilege of bail by the Court below. Petitioners were, in fact, not present in the village on the relevant date.

Learned counsel for the State submits that there is allegation against each of them of having committed loot in the house at night and also assaulting the informant and misbehaved with his wife.

In my view, it is not a fit case for grant of anticipatory bail. Prayer is rejected. Let the petitioners surrender and pray for bail which shall be considered on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

Pankaj/-

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