

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 54057 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR

- =====
1. Bindeshwari Mahto @ Bindeshwar Mahto, son of Late Khokhai Mahto,
 2. Sunita Devi, wife of Raj Kumar Mahto,
- All resident of village - Barbatta, P.S. Musarigharari, District - Samastipur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. Asharaf Ansari

Mr. Lal Babu Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 23-12-2016 Heard Sri Bam Bahadur Jha, learned counsel for petitioners, learned Addl. Public Prosecutor as well as Sri Lal Babu Singh, learned counsel, who has voluntarily appeared on behalf of informant.

Two petitioners, apprehending their arrest in Musrigharari P.S. Case No. 83 of 2016 registered for offence under Sections 147, 148, 149, 448, 341, 323, 325, 307, 379, 354, 504 of the Indian Penal Code and subsequently, Section 302 of the Indian Penal Code was added, have prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned counsel for petitioners that there was case and counter case in between the parties.



Besides this, it has been argued that there is no specific accusation against both the petitioners. According to learned counsel for petitioners, there is general and omnibus allegation.

However, after examining the record, it is evident that petitioners are seeking bail in Musrigharari P.S. Case No. 83 of 2016, which was registered on 13-07-2016, whereas, from the petitioners' side, F.I.R. was lodged on 23-07-2016, vide Musrigharari P.S. Case No. 86 of 2016. Moreover, the Court is of the opinion that this Court is not hearing the prayer for grant of regular bail, in which, it can be considered whether there is specific accusation or general & omnibus allegation.

In view of nature of accusation, there is no point to entertain the prayer for anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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