

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39062 of 2016

Arising Out of PS.Case No. -631 Year- 2016 Thana -SAHARSA District- SAHARSA

1. Chitranjan Prasad S/o Late Kuldeep Prasad
2. Santosh Prasad @ Santosh Kumar S/o Chitranjan Prasad
Both resident of village - Shakuntala Nagar, Ward No. 32, East of
Polytechnic P.S. + District Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2016 Heard Sri Shiv Shankar Sharma, learned counsel for the
petitioners , Sri Nand Kumar, learned A.P.P. as well as Sri Bal
Krishna Mishra, learned counsel, who has voluntarily appeared on
behalf of the informant.

Two petitioners , apprehending their arrest in Saharsa
Sadar P.S. Case No. 631 of 2016 registered for the offence under
Section 341, 323, 504, 384, 379, 34 of the Indian Penal Code
have prayed for grant of anticipatory bail.

By way referring to the F.I.R. as well as Annexure- 2 to
the present petition it was submitted by learned counsel for the
petitioners that in a proceeding under Section 144 of the Cr.P.C.
rule was made absolute against the informant of the present case

and in respect of same land allegation has been made by the informant that his boundary wall was demolished by the petitioners and others. He submits that in a civil dispute color of criminal offence has been given and as such a prayer has been made for extending the privilege of anticipatory bail.

Learned Additional Public Prosecutor as well as learned counsel for the informant have opposed the prayer for grant of anticipatory bail.

Besides hearing learned counsel for the parties I have also perused the materials available on record particularly the statement made in paragraph no. 3 of the petition which depicts that petitioners are having criminal antecedent. Moreover, in view of accusation made in the F.I.R. the Court is of the opinion that it is not a case for grant of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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