

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9793 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -DHURAIYA District- BANKA

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1. Shyam Kisku s/o Raju Kisku,
2. Latu Bota Hansda @ Sidho Hansda @ Latu Beta Hasda, S/o Sheojatan
Hansda, Both resident of village - Birniya, P.S.- Dhoriya, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md.A.H. Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 09-08-2016 Heard both sides.

The petitioners apprehend their arrest in Dhoriya P.S.
Case No. 158/15, registered for the offences punishable under
Sections 147, 148, 149, 341, 323 and 302 of the Indian Penal
Code.

The informant alleged that Gautam Singh informed that
villagers were assaulting his father. On such information, the
informant along with his family members went to the place of
occurrence and saw his father lying on the spot. The informant
named the petitioners and others.

It is submitted that there is no allegation of assault
against the petitioners. Similarly situated co-accused namely

Maresh Murmu and others already granted regular bail. It appears that of course, the informant did not see the petitioners assaulting his father, but the petitioners were also standing at the place of occurrence with arms and the father of the informant was lying injured.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below learned court below shall consider prayer for regular bail of the petitioners taking into consideration that similarly situated co-accused namely, Maresh Murmu and others have already been granted regular bail and dispose of the bail petition of the petitioners preferably on the same day.

(Prabhat Kumar Jha, J.)

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