

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.537 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -DULHIN BAZAR District- PATNA

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1. Rajendra Ram Son of Sri Phal Ram,
2. Sriphal Ram @ Shifal Ram, Son of Late Mulchan Ram,
3. Raushan Kumar, Son of Rabindra Ram,
4. Randhir Kumar, Son of Rabindra Ram,
All are r/o village Bhaluan, P.S. Dulhin Bazar, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 15-02-2016 Heard Sri Shiv Pujan Singh, learned counsel for the

petitioners , Sri Damodar Prasad Tiwary, learned A.P.P. as well as

Sri Chandra Shekhar Prasad, learned counsel who has voluntarily

appeared on behalf of the informant.

Four petitioners apprehending their arrest in connection
with Dulhin Bazar P.S. Case No. 69 of 2015 registered for the
offence under Section 341, 323, 324, 504, 307 and 379 of the
Indian Penal Code have prayed for grant of anticipatory bail.

Learned counsel for the petitioners submits that there is
general and omnibus allegation and there was case and counter
case in between the parties. He by way of referring to Annexure -
'2' to the present petition submits that from the informant's side



an F.I.R. vide Dulhin Bazar P.S. Case No. 70 of 2015 was registered for the offence under Section 307 and other allied Sections of the Indian Penal Code and also under Section 27 of the Arms Act. It has been argued that there is land dispute in between the parties which is evident on perusal of the case diary particularly paragraph no. 4 of the case diary. On the aforesaid grounds he makes a prayer for extending the privilege of anticipatory bail.

Learned A.P.P. as well as learned counsel for the informant have opposed the prayer of anticipatory bail. It has been argued that there is specific accusation against the petitioner no. 1 and 3 in the F.I.R. and injury which was examined by the medical officer has also corroborated the prosecution case.

Besides hearing, I have also perused the materials on record. In view of the facts and circumstances particularly the fact that there is specific accusation against the petitioner no. 1 and 3, there is no need to extend the privilege of anticipatory bail to them. Accordingly, the prayer for anticipatory bail of the petitioner Rajendra Ram as well as petitioner Raushan Kumar stands dismissed.

So far as petitioner no. 2 and 4 are concerned, keeping in view the facts and circumstances and the nature of accusation

, let Sriphal Ram @ Shifal Ram and Randhir Kumar in the event of their arrest or surrender within a period of six weeks from today be enlarged on bail on furnishing bail bond of Rs. 10,000 /- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Dulhin Bazar P.S. Case No. 69 of 2015 subjection to the conditions as contemplate under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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