



IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48420 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Bidyanand Bhushan @ Bidyanand Yadav, Son of Late
Baiju Yadav, Resident of Mohalla - Bari Moki, P.S. - Rajgir,
District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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With

Criminal Miscellaneous No.48884 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Naresh Kumar Yadav @ Naro Yadav, Son of Late Lalo
Yadav, Resident of At & P.S. - Rajgir, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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With

Criminal Miscellaneous No.56436 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Md. Aftab Alam, Son of Late Suleman, Resident of
Mohalla - Bangali Para, P.S. - Rajgir, District – Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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With

Criminal Miscellaneous No.56427 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Ashok Kumar Roy @ Ashok Roy, son of Late Suresh Prasad Yadav, Resident of Mohalla - Bari Milki, Ward No.11, P.S. - Rajgir, District – Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr. Misc. No.48420 of 2015)

For the Petitioner/s	: Mr. Jitendra Pd. Singh, Sr. Adv. Mr. Hansraj, Adv.
For the State	: Mr. Kumar Ranjit Ranjan, APP
For the Informant	: Mr. Sunil Kr. Singh, Adv. Mr. Rajesh Kumar, Adv. Mr. Amresh Kumar Singh, Adv. Mr. Shashi Bhushan Singh, Adv.

(In Cr. Misc. No.48884 of 2015)

For the Petitioner/s	: Mr. Hansraj, Adv.
For the State	: Mr. Kumar Ranjit Ranjan, APP
For the Informant	: Mr. Sunil Kr. Singh, Adv. Mr. Rajesh Kumar, Adv. Mr. Amresh Kumar Singh, Adv. Mr. Shashi Bhushan Singh, Adv.

(In Cr. Misc. No.56436 of 2015)

For the Petitioner/s : Mr. Hansraj, Adv.
For the State : Mr. Kumar Ranjit Ranjan, APP
For the Informant : Mr. Sunil Kr. Singh, Adv.
Mr. Rajesh Kumar, Adv.
Mr. Amresh Kumar Singh, Adv.
Mr. Shashi Bhushan Singh, Adv.

(In Cr. Misc. No.56427 of 2015)

For the Petitioner/s : Mr. Hansraj
For the State : Mr. Kumar Ranjit Ranjan, APP
For the Informant : Mr. Sunil Kr. Singh, Adv.
Mr. Rajesh Kumar, Adv.
Mr. Amresh Kumar Singh, Adv.
Mr. Shashi Bhushan Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 18-04-2016 Heard the parties.

These applications, for grant of anticipatory bail, arises out of Rajgir P.S. Case No.139 of 2015, disclosing offences under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Learned senior Counsel, appearing on behalf of the petitioner, in Cr. Misc. No.48420 of 2015, has submitted that petitioner's implication in the present case is malicious. According to him, the manner of



occurrence, as alleged in the First Information Report, and the claim of the informant that some others had seen the occurrence taking place, is highly improbable. He further submits that the petitioner has no criminal antecedent and there is no likelihood that he shall be tampering with the evidence. Referring to the order of this Court, dated, 12.10.2015, whereby, the interim protection was granted to the petitioner against any coercive step to be taken against him, he submits that during the period when the said interim order was operative, the petitioner never evaded the police, in the course of investigation, it is a different matter, though, that the police did not interrogate him during the said period.

Similar submissions have been advanced on behalf of the petitioners in other cases.

The petitioners are named in the First Information Report and there is direct allegation against them. I am, therefore, not inclined to grant the petitioners the privilege of anticipatory bail.

The petitioners, abovenamed, are directed to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail

shall be considered by the learned court below on its own merit without being prejudiced by rejection of present applications for grant of anticipatory bail.

It is indicated that the learned court below while considering the application/s of regular bail of these petitioners, may keep in mind the fact that there is no material to show that petitioners misused the privilege of interim protection granted to them *vide* order, dated 12.10.2015, in any manner whatsoever.

With the observation, as above, all these applications, in connection with Rajgir P.S. Case No.139 of 2015, for anticipatory bail are, hereby, rejected.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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