

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19594 of 2016

Arising Out of PS.Case No. -110 Year- 2014 Thana -AWTARNAGAR District- SARAN

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1. Baidyanath Rai @ Baijnath Rai Son of Late Rambriksh
2. Rakesh Rai @ Rakesh Kumar Ray Son of Madan Rai
3. Chunni Rai @ Chunni Lal Ray Son of Baid
4. Reena Devi Wife of Chunni Rai @ Chunnilal Ray
All are residents of Village- Naya Tola, Haraji, P.S.- Awatar Nagar,
District- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-05-2016 Heard Sri Nawal Kishore Singh, learned counsel for
petitioners and Sri Parmanand Kumar, learned Addl. Public
Prosecutor.

Four petitioners, apprehending their arrest in Awatar
Nagar P.S. Case No. 110 of 2014 registered for offence under
Sections 147, 148, 149, 323, 341, 353, 307, 379, 504, 337 of the
Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for petitioners submits that the
informant, who is police officer, has falsely instituted a case
against the petitioners, since petitioners had raised an objection of
partial stand taken by the Investigating Officer. According to
learned counsel for petitioners, it is a fit case for extending the
privilege of anticipatory bail.

On perusal of paragraph – 3 of the petition, it is evident that petitioner no. 1 to 3 are having criminal antecedent. Only regarding petitioner no. 4, it has been indicated that she has got no criminal antecedent. Moreover, F.I.R. was lodged in the year 2014 and prayer for anticipatory bail of all the petitioners was rejected on 31-01-2015, whereas, present anticipatory bail petition was filed only in this month i.e. May, 2016.

In view of facts and circumstances as well as antecedent of petitioner no. 1, 2 & 3, I am not inclined to extend the privilege of anticipatory bail to them and as such, anticipatory bail petition of petitioner no. 1, 2 and 3 is hereby rejected.

Keeping in view the fact that petitioner no. 4 i.e. Reena Devi is lady and having no criminal antecedent, in the event of her arrest or surrender within a period of six weeks from today, she may be released on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 110 of 2014, subject to condition as contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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