

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33621 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -MADHEPURA District- MADHEPURA

- =====
1. Krit Narayan Paswan @ Kritya Narayan Paswan son of Satya Narayan Paswan resident of Village- Betauna, P.S.- Madhepura, District- Madhepura.
 2. Badri Yadav S/o Amrendra Yadav resident of Village- Machhabakhra, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/ : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 19-10-2016 Heard learned counsel for the petitioners and Mr. Dayal APP for the State.

The two petitioners herein are named accuseds in connection with Madhepura (Bharrahi O.P.) P.S. case no. 91/2016, registered under Sections 379, 353 and 307 of the IPC.

The allegation, in nutshell, is that one accused of different case was arrested by him and brought to the police station whereafter the petitioners and others named in the First Information Report along with several other co –villagers arrived at the police station and started assaulting the police personnels on duty. By putting up obstruction in discharge of the duties they

forcibly got released the accused arrested by the police. The further allegation is that the accused persons named in the First Information Report inflicted injuries on the police personnels.

Contention of the petitioners is that although they are named in the FIR but there is no specific allegation attributed to them. Some accused persons not named in the FIR have been privileged with anticipatory bail.

Learned APP opposed the prayer and submitted that in a very dare devil manner, the petitioners and other accuseds came to the police station and not only obstructed the police officers but also inflicted injuries on them and thereafter forcibly took the arrested accused from police custody.

Considering the facts and circumstances of the case, I am not inclined to extend them the privilege of anticipatory bail. Let the petitioners surrender and seek bail before the learned Court below. If they do so, the same shall be considered on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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