

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 39296 of 2016

Arising Out of PS.Case No. -143 Year- 2016 Thana -SHEIKHPURA District- SHEIKHPURA

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1. Yashwant Kumar

2. Chintu Kumar

Both are Sons of Sri Yadav, Resident of Village- Mahadev Nagar, P.S.+
District- Sheikhpora.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr.Adv.

Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4. 06-12-2016 Heard Sri Y.C. Verma, learned senior counsel assisted
by Sri Anuj Kumar, learned counsel for petitioners and Sri Ashok
Kumar, learned Addl. Public Prosecutor.

Two petitioners have approached this Court for grant
of anticipatory bail in Sheikhpora P.S. Case No. 143 of 2016
registered for offence under Sections 147, 148, 149, 341, 323, 307,
353, 427 and 435 of the Indian Penal Code.

It was submitted by learned senior counsel for the
petitioners that petitioners have falsely been implicated, due to the
reason that petitioner no. 1 was agitating against illegal transfer of
a land of a *Math* and he has also initiated a proceeding under
Section 144 of the Cr.P.C. By way of referring to **Annexure – 2** to
the present petition, it has been argued that the petitioner no. 1 was
one of the signatory to a complaint filed before the Superintendent



of Police, Sheikhpura as well as the concerned District Magistrate regarding the illegal transfer of the land in question. He has also argued that petitioners have not been identified by the informant, who is Block Development Officer, rather they were got identified by his bodyguard. According to learned senior counsel for the petitioners, the petitioners have been implicated, as per instance of the said *Mahanth*.

However, after going through the material on record, particularly paragraph – 3 of the petition, it is evident that petitioners are accused in other cases also. Considering the conduct of the petitioners, there is no question for granting anticipatory bail.

The petition stands dismissed.

It goes without saying that if within a period of six weeks from today, the petitioners appear before the court below and make a prayer for regular bail, the learned court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law, preferably on the same date.

(Rakesh Kumar, J.)

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