

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48354 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -DORIGANJ District- SARAN

- =====
1. Mahabir Rai Son of Sukhnandan Rai, Resident of Village - Kaji Tola, Police Station - Doriganj, District - Saran at Chapra.
 2. Rahul Kumar Son of Yogendra Rai,k Resident of Village - Balwan Tola, Police Station - Doriganj, District - Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Narendra Kumar, Advocate

For the Opposite Parties : Mr. Sadanand Paswan, Spl PP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2016 A supplementary affidavit has been filed on behalf of the petitioners, the same is kept on record.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Doriganj P.S. Case No. 17 of 2015 pending in the Court of CJM, Saran at Chapra for the offences instituted under Sections 34 of the Indian Penal Code and Section 3 (i) of SC/ST Act.

The allegation against the accused persons that the informant was at his betel shop where one customer was sanding and alleged that the accused persons came in drunken stage at his



shop and started demanding Bathai from customer and on refusal by customer the accused started abused the son of the informant. The informant protested then accused inflicted knife blow which hit on the arm of the informant and another knife blow hit in the abdomen of the informant and he fell down and thereafter the informant was admitted to hospital for treatment and also alleged that the petitioners also assaulted the cousin brother of the informant, namely, Vakil Choudhary.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. No specific allegation of assault has been alleged against the petitioner. From perusal of Annexure-2 to the supplementary affidavit, it appears that the nature of injuries are simple.

On behalf of the State, it has been submitted that the anticipatory bail of the petitioners is not maintainable as the case has been instituted for the offences under Section SC/ST Act.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioners on anticipatory bail, the same is rejected.

Anyhow, if the petitioners surrender in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order and if possible

the same may be disposed of on the same day.

(Sudhir Singh, J)

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