

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4719 of 2017

Arising Out of PS.Case No. -138 Year- 2016 Thana -UDAKISHANGANJ District- MADHEPURA

- =====
1. Lal Bahadur Mahto, Son of Late Kailu Mehta @ Late Kailu Mahto,
 2. Ajay Kumar, Son of Lal Bahadur Mahto, Both residents of Village Uda (Uda-Kishunganj), P.S. Uda-Kishunganj, District Madhepura.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 447, 341, 323, 325 and 307 /34 of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that informant and petitioners are neighbours and the occurrence took place on a very petty issue. Though it is alleged that petitioners have assaulted informant but the injury report is not available on the record and nothing has been mentioned in the impugned order regarding injury report. It is further submitted that against petitioner no. 1, there is no allegation of assault. A Title Suit is pending in the court below.

Heard learned A.P.P. also.



Having heard both sides, in view of the submission of the learned counsel for the petitioners that injury report is not available at that time also before the court below, I am not inclined to grant anticipatory bail to the petitioners, the same is rejected.

However, petitioners are directed to surrender in the court below, i.e., learned S.D.J.M., Udakishunganj, Madhepura, in connection with Uda-Kishunganj P. S. Case no. 138 of 2016 and make prayer for regular bail which will be considered by the court below considering the fact that they are next door neighbours, the occurrence took place for a very petty issue and also examine the injury report as to why not available on record and disposed of the same preferably on the same day without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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