

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6231 of 2017

Arising Out of PS.Case No. -421 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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1. Pranjal Yadav son of Rajeshwar Yadav
2. Naresh Yadav son of Late Kisni Yadav Both residents of village - Tilathi,
P.O. - Simri Bakhtiyarpur (O.P.) Kaneriya), District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Anil Kumar

For the Informant : Mr. Makardhwaj Upadhyay

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-02-2017 The petitioner are apprehending their arrest in connection with Bakhtiarpur P.S. Case No. 421 of 2016, registered for offences punishable under Sections 147, 148, 149, 324, 341, 307, 386 and 387 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioners that only general and omnibus allegation of assault by the butt portion of pistol and lathi has been levelled against these petitioners. So far allegation of assault by fire arm is concerned; the same was attributed to one Sanjay Yadav. All the injuries caused to the informant by the assault made by the petitioners are found to be simple in nature.

Heard learned A.P.P. and learned counsel for the informant, they have opposed the prayer for bail.



Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that there is direct allegation of demanding Rs. 50,000/- as rangdari against these petitioners and petitioner had already taken Rs. 25,000/- out of the said amount of Rs. 50,000/- from the informant and only on non payment of the remaining amount, the petitioners assaulted the informant and caused several injuries to him, as such, I am not inclined to grant the petitioners, the privilege of anticipatory bail, it is accordingly rejected.

However, if the petitioners surrender before the Court below and pray for regular bail, the same will be considered by the learned court below on the merit of the case and also considering the nature of injury inflicted to the informant by these petitioners, shall pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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