

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12377 of 2017

Arising Out of PS.Case No. -180 Year- 2016 Thana -KHAIRA District- SARAN

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1. UMESH SAH @ UMESH KUMAR SAH
2. Ramesh Sah @ Ramesh Kumar Sah
Both Son of Jawahir Sah, Resident of Village- Bhikhampur, P.S.- Khaira,
District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-04-2017 The petitioners are apprehending their arrest in connection with Khaira P.S. Case No. 180 of 2016, registered for offences punishable under Sections 147, 148, 149, 323, 324, 447, 307 and 504 Indian Penal Code.

It has been submitted on behalf of the petitioners that allegation against petitioner no. 1 is that he assaulted on the head of wife of informant and allegation against petitioner no. 2 is that he assaulted brother of the informant, but there is case and counter case between the parties and persons from both sides have received injuries. As regards the nature of injury, opinion has been kept reserved but *prima facie* they appear to be simple in nature.

Heard learned A.P.P. also. He has opposed the prayer for



bail stating that opinion of both the injuries has been reserved for want of C.T. Scan Report.

Having heard both sides, considering the facts and circumstances of the case and also that opinion with regard to injuries that has been inflicted by the petitioners has been kept reserved, as such, I am not inclined to grant the petitioners the privilege of anticipatory bail, it is accordingly rejected.

Let petitioners surrender before the court below and pray for regular bail and if any such application is filed, the court below after calling for the injury report and after verifying the nature of injuries, shall consider the application of petitioners and pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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