

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29185 of 2016

Arising Out of PS.Case No. -56 Year- 2012 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Yogesh Kumar Singh @ Laddu Singh,
2. Vikash Singh alias Vikash Kumar Singh alias Guddu Singh
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shrawan Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-02-2017 Heard learned counsels for the petitioners and the State.

The petitioners have renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 147,148,323,325,307.397,386,427,353 and 504 of the Indian Penal Code.

The prosecution case is that when the informant refused to supply liquor free of cost then on the order of co accused Krishna Singh, other accused persons including the petitioners took away forty thousand cash and liquor to the tune of rupees one lac.

It is submitted by learned counsel for the petitioners that the accusation is not specific when the injury has been found to be simple. The petitioners have been falsely implicated since petitioner no. 1 lodged Saiyadraja P.S. Case No. 171 of 2011



against the cousin brother of the owner of the liquor shop. It is further submitted that the petitioners were not sent up for trial but differing with the final form cognizance has been taken and now the informant has entered into compromise. In the second attempt, Cr. Misc. No. 23605 of 2014 filed with prayer for anticipatory bail was permitted to be withdrawn since learned counsel for the petitioners was under impression that the order taking cognizance was set aside by the revisional court but in pursuance to the revisional order fresh order of cognizance was again passed.

Keeping in view of the fact that earlier anticipatory bail application of the petitioners was disposed of on 21.2.2013 and thereafter on second attempt the application was permitted to be withdrawn vide order dated 26.11.2014, this court is not inclined to revise the earlier orders. However, in view of the fact that the petitioners were not sent up for trial and the informant has entered into compromise, it is a case for consideration of the prayer of the petitioners for regular bail by the learned court below in case the petitioners surrender within six weeks from today and pray for bail in connection with Chand P.S. Case No. 56 of 2012 (S.T. No. 66/15-126/15 pending in the court of learned Additional Sessions Judge VI, Kaimur at Bhabua.

With the aforesaid observation/direction, this



application stands disposed of.

(Dinesh Kumar Singh, J)

Anil/-

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