

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13193 of 2017

Arising Out of PS.Case No. -448 Year- 2016 Thana -MANER District- PATNA

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Rajendra Sao & Anr

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Maner P. S. Case No. 448 of 2016 pending in the Court of Judicial Magistrate, Ist Class, Danapur registered for offence punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The informant has alleged that after scuffle between the children, petitioners came into house of the informant and assaulted him and the petitioner No.1, Rajendra Sao assaulted with lathi on the head of Girija Sao. However, petitioner No. 2, Shambhu Sao assaulted with iron rod on the head of Uday Sao.

Learned counsel for the petitioners submits that both parties are neighbours. The children of both parties scuffled for



which occurrence of assault took place. The injuries sustained by injured are simple in nature and no offence under Section 307 IPC is made out.

The learned APP opposed the prayer of the petitioners.

Considering the specific allegation of assault by the petitioners on the head of sons of the informant, I do not find it a fit case for anticipatory bail. Their prayer is, therefore, rejected.

However, the petitioners, if surrender and seek regular bail before the Court below, the same shall be disposed of on its own merit without being prejudiced by the order of this Court.

(Sanjay Kumar, J)

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