

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22686 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -WAJIRGANJ District- GAYA

- =====
1. Rahmat Khan Son of Late Abdul Khan
 2. Amjad Khan Son of Hasmat Khan
 3. Hasmat Khan Son of Late Abdul Khan
 4. Sajid Khan Son of Rahmat Khan
 5. Shamim Khan @ Shami @ Shamo Son of Amihashan Khan All
Resident of Village- Chainbigha, P.S. Wazirganj, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 07-07-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Wazirganj P.S. Case No. 168 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 379, 307, 302, 504 and 506 of the I.P.C.

Allegedly, the petitioners armed with lathi, danda and iron rod started assaulting the informant and his father brutally. The informant any how succeeded in fleeing away but the father succumbed to the injury.

Submission is of false implication and that the



allegations are omnibus and general in nature, there is no specific allegation against the petitioners, there is case and counter case, during supervision the S.D.P.O. found the case under section 304 of the I.P.C. and not under section 302 of the I.P.C and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioners by submitting that due to the assault committed by the petitioners father of the informant died.

In the facts and circumstances as stated above, considering the allegations attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. Gaya.

(Jitendra Mohan Sharma, J)

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