

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53974 of 2017

Arising Out of PS.Case No. -198 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Pintu Pandey, son of Baidyanath Pandey
2. Ashutosh Pandey @ Ashutosh Kumar Pandey, son of Baidya Nath Pandey.
3. Tej Pratap Pandey, son of Baidya Nath Pandey.
4. Baidya Nath Pandey, son of late Balanand Pandey
5. Mithlesh Pandey, son of late Rameshwar Pandey
6. Indresh Pandey, son of Harinandan Pandey
7. Amit Pandey, son of Harinandan Pandey

All are resident of village-Khairatia, P.S.-Bettiah (Muffasil) Manua Pul, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are seeking anticipatory bail in connection with Bettiah (M) Manua Pul P.S. Case No.198 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 307, 384 and 504 of the Indian Penal Code.

From Annexure-1 and Annexure-2 series it appears that the parties had a free fight over a land dispute and both sides indulged in exchanging assaults against each and other party causing simple as well as grievous injuries to several persons. He



relies upon Annexure-4 which is an order dated 13.09.2017 passed in Cr.Misc.No.37468 of 2017 to submit that in the case lodged by this side some of the accused have been granted the privilege of anticipatory bail.

On the other hand, learned APP for the State opposed the prayer for bail and submits that the injury reports available on the record are showing the gravity of the offences and how the parties have indulged in a free fighting. Therefore, the petitioners are not entitled to get privilege of anticipatory bail. As regards the Annexure-4 it is submitted by the learned APP that the same cannot be a ground to seek privilege of anticipatory bail because sometimes Court is expected to take a preventive view of the matter.

Considering the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for anticipatory bail is rejected.

However, if the petitioners surrender in the court below within a period of four weeks from today and pray for regular bail, their application shall be considered without being prejudiced by the order passed by this Court and taking into consideration the submissions of the learned counsel as regards the counter case and the privilege granted to the accused persons in



the said case.

The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/-

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