

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43320 of 2017

Arising Out of PS. Case No.-123 Year-2017 Thana- MANER District- Patna

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1. Shankar Rai, Son of Banarsi Rai,
 2. Kishori Rai Son of Banarsi Rai,
 3. Ajay Rai Son of Ramjivan Rai,
 4. Ramayan Rai, Son of Rajendra Rai, All R/o Village- Haldi Chapra, Police Station- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. SRI S. EHTESHAMUDDIN

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-09-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Maner P.S.Case N0. 123 of 2017, disclosing offences under Sections 302/34 of the Indian Penal Code.

From the First Information Report, it appears that there is allegation against the co-accused of assaulting the deceased leading to death.

Learned counsel for the petitioners has submitted that since there is no allegation of any specific overt act of assault, they should be allowed the privilege of anticipatory bail.

I do not find it to be a fit case for grant of anticipatory bail since as per the First Information Report, the petitioners were



also carrying arms and were participating in the occurrence.

Considering the seriousness of the offence and the alleged participation of these petitioners in commission of the offence, I am not inclined to allow them the privilege of anticipatory bail.

This application is, accordingly, rejected.

The petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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