

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50669 of 2017

Arising Out of PS.Case No. -256 Year- 2017 Thana -MARHAURA District- SARAN

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1. Binod Bharati @ Vinod Bharati, son of Murari Bharati
2. Ajay Bharati, son of Murari Bharati
3. Rabindra Bharati @ Ravindra Bharati, son of Murari Bharati.
4. Dilip Bharati, son of Murari Bharati.
5. Arun Bharati @ Arun Kumar Bharati, son of Murari Bharati.
6. Ashutosh Bharati @ Ashutosh Kumar, son of Rabindra Bharati
7. Gopi Bharati @ Vijendra Kumar Bharati @ Vijendra Bharati, son of Balmiki Bharati
8. Manish Bharati @ Manish Kumar Bharati, son of Balmiki Bharati

All residents of Village-Mahamadpur Mathian, P.S.-Marhawrrah (Gaura O.P.), District-Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Narayan Parbat, Sr.Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2017 Heard learned senior counsel for the petitioners

and learned APP for the State.

Petitioners are seeking anticipatory bail in connection with Marhawrrah (Gaura O.P.) P.S. Case No.256 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Learned senior counsel for the petitioners submits that there is a case and counter case giving two different versions by the parties. Prior to the present case, Marhawrrah P.S. Case



No.272 of 2017 was lodged and the present case has come up only because of further aggression in which both the parties indulged in free fighting. Learned senior counsel emphasized that the injuries reports, as contained in Annexure-3 series, would show that all the injuries are simple in nature caused by hard blunt substance.

On the other hand, learned APP for the State opposed the prayer for anticipatory bail and submits that these petitioners have actively participated in the alleged occurrence.

Considering the nature of allegations and the materials showing that the petitioners have participated in the alleged occurrence in which simple injuries have been caused, this Court is not inclined to grant anticipatory bail to the petitioners, but is of the opinion that if the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today, the same shall be considered for purpose of regular bail by the court below taking into consideration that there are two different versions, a case and counter case between the parties and the injuries are said to be simple in nature.

The application is disposed of with the aforesaid observations.

Arvind/-

(Rajeev Ranjan Prasad, J)

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