

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47428 of 2016

Arising Out of PS.Case No. -143 Year- 2015 Thana -MANER District- PATNA

- =====
1. Niranjan Rai, son of Dhanpal Rai
 2. Dhanpal Rai, son of Late Haricharam Rai
 3. Anshu Rai, son of Dhanpal Rai, All are resident of Village- Haldi Chhapra, Badan Tola, P.S.- Maner, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Usha Kumari Singh, Advocate

For the Opposite Party : Mr. Sri Ashok Kumar Singh 1 (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Maner P.S. Case No. 145 of 2015, registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

Allegedly, the petitioner no.1 assaulted with sword to the wife of the informant with a view to kill on her head, petitioners no. 2 and 3 assaulted with iron rod to the informant on his head causing head injury to the informant also, due to alarm being raised nearby persons assembled and intervened then, the accused persons fled away and the life of the informant and his wife was saved.

Submission is of false implication and that petitioner



no.2 is aged about 60 years so no reliance can be placed upon those version, there was no intention to commit murder, there was no intervening circumstance and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that on the head of the wife of the informant and on the head of the informant injuries were caused by the petitioners and cut injury was found on the head of the wife of the informant and both were referred to P.M.C.H. for CT scan.

In the facts and circumstances as stated above, considering that on vital part the petitioners have assaulted, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected.

However, in case and if so advised the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

