

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44874 of 2016

Arising Out of PS.Case No. -146 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Baskit Rai, S/o Bilet Rai,
2. Shubh Narayan Rai, S/o Sri Banke Lal Rai, Both are R/o- Phulpura, P.S.-
Bidupur, Distt.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 12-01-2017 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with

Bidupur Police Station Case No. 146 of 2016 registered for the

offences punishable under Sections 147, 148, 149, 341, 323, 324,

307/ 34 of the Indian Penal Code.

Learned counsel for the petitioners seeks anticipatory

bail of petitioners on two grounds, firstly, the informant Surendra

Bhaskar did not sustain any firearm injury though there is specific

allegation against the petitioner no. 2 that he opened fire causing

firearm injury on the left knee of the informant and, secondly,

injured Raj Kumar Rai did not have sustained any injury though



there is allegation against the petitioner no. 1 that he assaulted the aforesaid Raj Kumar Rai by means of Farsa.

The injury report of injured informant goes to show that he sustained grievous injury on his leg and so far as the injured Raj Kumar Rai is concerned, the report of concerned doctor goes to show that he was treated as outdoor patient and, therefore, it cannot be said that Raj Kumar Rai did not have sustained any injury.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant privilege of anticipatory bail to the petitioners and, hence, their prayer for anticipatory bail in connection with Bidupur P.S.Case No. 146 of 2016, pending in the court of Chief Judicial Magistrate, Vaishali at Hajipur stands rejected.

However, petitioners may surrender before the court below within four weeks from the date of receipt/ production of a copy of this order and if they do so, the regular bail application of the petitioners shall be considered by the concerned court on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

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