

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51136 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -KARJA District- MUZAFFARPUR

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1. Rahul Rai @ Rahul Kumar,
2. Umesh Rai both sons of Bindeshwar Rai, resident of Jhakhra Shekh, P.S.
Karja, District - Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

For the informant : Mr. Manoj Kumar Manoj, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Karja P.S.Case No. 81 of 2016 registered for the offences punishable under Sections 307, 323, 324, 341, 379, 447, 504 and 506/34 and later on Section 302 of the Indian Penal Code was added.

It has been submitted on behalf of the petitioners that earlier to lodging of this case petitioner No.2 has also filed a case against the informant and others and in that case he received injuries also and the present case has been lodged by the informant just to save their skin. Moreover, petitioner No.2 is order-giver and whatever allegation made by the informant is against



petitioner No.1. It has further been submitted that there is enmity between the parties and a large number of cases between the parties have been filed.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for anticipatory bail stating that it is petitioner No.1 who has assaulted the deceased by farsa.

Having heard both sides and considering the aforesaid fact, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, prayer for anticipatory bail is rejected.

However, the petitioners may surrender in the court below and make prayer for regular bail, which shall be considered and disposed of on the basis of the materials available on record preferably on the same day the bail application is filed, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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