

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30672 of 2017**

Arising Out of PS.Case No. -66 Year- 2017 Thana -PAKARIBARAW District- NAWADA

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1. Luvkush Kumar, son of Sri Kamlesh Singh,  
2. Shambhu Singh, son of Narsingh Singh, both resident of Village-  
Meghipur, P.S.- Pakribarawan, District- Nawada.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Nayan, Adv.

For the Opposite Party/s : Mr. Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

3      21-07-2017                      Heard learned counsel for the petitioners and  
  
learned counsel for the State.

In this case, the petitioners are seeking anticipatory  
bail in connection with Pakaribarawa P.S. Case No.66 of 2017,  
registered for the offence punishable under Sections, 147, 148,  
149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

There is case and counter case between the parties.  
In the present case, allegation has been made that while the  
informant was working in his agriculture field; accused persons  
assembled there armed with various weapons and started  
assaulting him. It has further been alleged that petitioners have  
caused injury on the back side of the head of the informant as  
well as his mother-Rampadi Devi.

Learned counsel for the petitioners submits that  
there is old enmity between the parties, earlier the petitioner was



made accused in Pakaribarawa P.S. Case No.163 of 2014 while he was juvenile and he has been acquitted in that case. This time, the petitioner is pursuing his study of Bachelor of Science and examination is to be held in near future and as such, the petitioner no.1 should be given the benefit of anticipatory bail. However, learned counsel for the petitioners could not produce any document to show that examination is going to be held in near future.

Learned counsel for the informant submits that the petitioners have caused serious injury to the informant as well as his mother.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail is rejected. If the petitioners surrender before the Court below within three weeks from today and pray for bail, the court below will pass the order in accordance with law on the same day without being influenced by the order of this Court. While deciding the bail application of the petitioners, the Court below will also consider the fact that the petitioner no.1 was made an accused in Pakaribarawa P.S. Case No.163 of 2014, in which he has been acquitted.

**(Shivaji Pandey, J)**

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