

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28871 of 2018

Arising Out of PS. Case No.-254 Year-2017 Thana- EKMA District- Saran

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1. Anil Singh @ Anil Kumar Rai, son of Sri Hem Narayan Singh.
2. Chandra Prakash Singh alias Chandan Singh, son of Sri Radha Mohan Singh.
Both resident of village-Bhuily, Ward No.2, P.S. Ekma, District-Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ekma P.S. Case No.254 of 2017 registered under Sections 147, 148, 149, 324, 325, 307, 504 and 506 of the Indian Penal Code, pending in the court of the Additional Chief Judicial Magistrate-I, Saran.

The accusation is that six persons, named in the F.I.R., including the petitioners having lathi, danda, rod and farsa surrounded Sumit Prakash, the son of the informant Shyam Bahadur Rai, due to grudge and enmity and started to cause assault him. When Sunil Singh and Vivek Kumar Singh rushed to save Sumit Prakash, then Sunil Kumar was also assaulted. On reaching of the villagers, all moved from there, giving threatening of dire



consequences.

Learned counsel appearing on behalf of the petitioners submits that, in fact, due to some dispute, the occurrence of “Maar-Peet” took place between the parties in which co-accused Vicky Kumar Singh also sustained multiple fracture injury and he was rushed for treatment at P.M.C.H., Patna. While the injury of Sunil Kumar appears to be simple in nature but out of six injuries of Sumit Prakash, injury no.1, was found grievous in nature. Sumit Prakash was referred to P.M.C.H., Patna, from P.H.C. Ekma, for treatment. Further submission is that while the petitioners are named in the F.I.R. along with four others but no specific overt act is attributed to them.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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