

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38738 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -DARIYAPUR District- SARAN

=====

1. Randhir Kumar Giri, S/o Sri Harendra Giri,
2. Harendra Giri S/o Bindeshwari Giri,
3. Anoj Giri @ Anuj Giri S/o Sri Harendra Giri, All are R/o Vill.- Tarwa
Magarpal, P.S.- Dariyapur, Distt.- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kr. Srivastava

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Dariyapur P.S.Case No.71 of 2018 registered for offences punishable under Sections 341, 323, 353, 307, 337, 34 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that when the informant and other police officials went for execution of the non-bailable warrant issued in Sessions Trial No.603/12 and Sessions Trial No.329/10 against the petitioner no.1, the family members of the petitioner no.1 i.e. petitioners attacked on the police party by *iron rod, lathi-danda* causing injury to the driver of the police jeep on the head and against petitioner no.3 that he



assaulted the constable also. In the meantime, the petitioner no.1 fled away.

Submission of the learned counsel for the petitioner is that the police had actually had entered into the shop of Harendra Giri and demanded cold drink but he had not given to them. It is also submitted that it appears that the armed police party had gone to arrest the accused persons and their father and mother assaulted them, the above story does not appear to be believable.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

chn/-

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

