

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42088 of 2018

Arising Out of PS. Case No.-406 Year-2017 Thana- FATEHPUR District- Gaya

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1. Rahul Kumar, S/o Surendra Yadav
 2. Surendra Yadav, S/o Khedan Yadav null
 3. Bikash Kumar @ Vikas Yadav, S/o Khedan , All Residents of Village- Sohjana, P.S. Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-07-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Fatehpur P.S. Case No. 406 of 2017 dated 03.12.2017 instituted for the offences under Sections 341, 323, 308 and 34 of the Indian Penal Code.

The petitioners, who are the agnates of the informant, are alleged to have assaulted the father of the informant leading to simple injuries on his person. The court below while hearing the anticipatory bail petition of the petitioners observed that for the accusation against the petitioners, they deserve to be granted regular bail. Hence, a direction was given to the



petitioners to surrender before the court below and seek regular bail.

Instead of following the aforesaid direction, the petitioners have approached this Court for grant of anticipatory bail perhaps for the fear that they might not get bail before the court below.

Such apprehension of the petitioners is absolutely unfounded.

The present petition is permitted to be withdrawn to enable the petitioners to surrender before the court below and seek bail. In case, such a petition is filed, the court below shall take into account the relationship of the parties, the omnibus nature of allegation against all of them and superficial/simple injuries suffered by the father of the informant and shall pass orders accordingly, preferably on the same day.

The petition is thus disposed off.

(Ashutosh Kumar, J)

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