

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6319 of 2019

Arising Out of PS. Case No.-32 Year-2015 Thana- BUXAR INDUSTRIAL District- Buxar

1. Md. Kaish Khan @ Kaish Khan Son of Harun Khan
2. Suhail Khan @ Monu Khan @ Monu Son of Faruk Khan
3. Moti Khan @ Mudasar Nazar Son of Abdul Kayum Khan
All Resident of Village - Sarimpur (Baraki),

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 06-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Buxar (Ind) P.s.Case nO.32 of 2015 registered for offences punishable under Sections 147, 148, 149, 150, 114, 186, 353, 332, 333, 427, 436, 341, 323, 386, 302 of the Indian Penal Code.

Allegation against the petitioners and a large number of other accused persons is of damaging the property and interning inside the police station and sprinkling k-oil for setting the same afire and also killing *Chaukidar* by throwing him in fire.

Submission of the learned counsel for the petitioners is that they are named in the FIR but no specific allegation has been attributed against them and the other accused persons have been granted anticipatory bail.



Heard learned A.P.P. , who has opposed the prayer for bail on the ground that the case is of the year, 2015 and it further appears from perusal of the record that the petitioner has knowledge about this case case but in spite of that they have not either moved for anticipatory or regular bail before this Court or surrendered..

Having heard both sides and considering the aforesaid facts, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, if the petitioners surrender before the learned court below within a period of six 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 the basis of materials available against these petitioners and also considering the fact that the other accused persons have been granted anticipatory bail earlier and if possible to be disposed of on the same day. .

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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