

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5366 of 2019**

Arising Out of PS. Case No.-44 Year-2015 Thana- ANDHRAMATH District- Madhubani

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1. Brahmdeo Sah  
2. Indra Deo Sah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate  
For the Opposite Party/s : Mr.Asha Devi, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      27-03-2019                      Heard the parties.

The petitioners seek anticipatory bail in connection with Andhra Math P.S.Case No. 44 of 2015, registered under Sections 147, 149, 34, 323, 324, 307, 427 and 504/34 of the Indian Penal Code.

Allegation as per the F.I.R. against the petitioners is of firing upon the informant, which hit on the stomach and another Sanjay Yadav sustained fire arms injury on his hand and they are named in the F.I.R. and this is a case of the year, 2015.

Submission of the learned counsel for the petitioners is that investigation is still going on and the petitioners have no concern with any alleged occurrence and the present case is a counter blast of the earlier case filed by the petitioners bearing as Andhra Math P.S.Case No. 37 of 2015 and the co-accused



have been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 63396 of 2017 on 11.01.2016.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, and the case is of the year, 2015, I am not inclined to grant privilege of anticipatory bail to the petitioners, accordingly, prayer of anticipatory bail is rejected. However, if the petitioners surrender before the Court below within a period of six weeks from the date of order and make prayer for regular bail, same will be considered by the learned court below on its own merit without being prejudiced by order of this Court.

This application is accordingly disposed of.

**(Vinod Kumar Sinha, J)**

sudha/-

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