

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9712 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- SABAUR District- Bhagalpur

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1. MITHLESH SINGH, S/o Bilash Singh @ Ramvilash Singh
 2. Fuchka Singh @ Fucho Singh, S/o Mahendra Singh
- All Resident of village- Rattichak, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Sabour (Gouradih) P.S. Case No. 219 of 2018 registered for the offences punishable under Sections 147, 149, 341, 323, 307 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that although there are allegations of assault against these petitioners, but the fact is that no such injury has been caused to the informant.

On the other hand, learned APP for the State submits that there are specific allegations of assault attributed to these petitioners and in case such assault has not caused any injury,



the petitioners may demonstrate the same by surrendering and making a prayer for regular bail in the court below.

In the given facts and circumstances, while this Court is not willing to extend the privilege of anticipatory bail to the petitioners, in case the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for bail shall be considered on its own merit on the basis of the materials available on the record and rejection of the anticipatory bail by this Court shall not cause any prejudice in the mind of the court below. The aforesaid submissions may also be considered while considering the prayer for regular bail of the petitioners.

The application is, thus, disposed off.

(Rajeev Ranjan Prasad, J)

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