

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16091 of 2019**

Arising Out of PS. Case No.-11 Year-2019 Thana- MADHAURAH District- Saran

1. Raj Kumar Rai @ Raj Kumar Ray S/o Surendra Rai, Resident of Village- Tejpurwa, P.S.- Marhaurah, District- Saran.
2. Ajay Kumar S/o Raj Kishore Rai, Resident of Village- Tejpurwa, P.S.- Marhaurah, District- Saran.
3. Gita Devi W/o Surendra Rai, Resident of Village- Tejpurwa, P.S.- Marhaurah, District- Saran.
4. Nagiya Devi W/o Raj Kishore Rai, Resident of Village- Tejpurwa, P.S.- Marhaurah, District- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      15-03-2019                      Heard learned counsel for the petitioners and learned APP  
representing the State.

The petitioners are apprehending their arrest in connection with Marhaura P.S. Case No. 11 of 2019 registered under Sections 341, 23, 324, 325, 307, 506 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the petitioners and the informant are own gotiyas and they had a fight over a land dispute. It is submitted that there is a case and counter case and the petitioner no. 1 had also suffered injury inflicted by the informant's side.

It is submitted that the informant's side has been granted



privilege of anticipatory bail by the learned court below itself.

Learned APP has opposed the prayer of anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein this Court has been informed that there is case and counter case and the informant side has been granted privilege of anticipatory bail, but there are specific allegations of assault against these petitioners, the Court is not willing to grant anticipatory bail to the petitioners rather in case the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today by pointing out all these materials to the court, their application for regular bail shall be considered by the court below on the same day and in case it is found that the informant side has been granted privilege of anticipatory bail, the same will be taken as a factor for consideration while disposing of the regular bail application of these petitioners.

This application stands disposed of with the aforesaid directions and observations.

**(Rajeev Ranjan Prasad, J)**

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