

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26813 of 2019

Arising Out of PS. Case No.-179 Year-2007 Thana- BIBHUTIPUR District- Samastipur

1. Ramagya Rai @ Ramgyan Rai, S/o Ram Sagar Rai @ Ram Sagar Rai, Resident of Village- Vijaiya, P.S.- Mansoorchak, District- Begusarai.
2. Ram Uday Rai, S/O- Ram Sagar Roy @ Ram Sagar Rai, Resident of Village- Vijaiya, P.S.- Mansoorchak, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-07-2019 This is an application for grant of anticipatory bail in connection with Bibhutipur P.S. Case No. 179 of 2007, corresponding to T.R. No. 2052 of 2018, disclosing offences under Sections 147, 148, 149, 323, 337, 302 of IPC.

There is complaint case, on the basis of which, the present F.I.R. has been registered and it appears that due to cutting of Bandh, there was a scuffle, causing death of two persons and causing injury to some other persons and petitioners are also named in the F.I.R.

Submission of the learned counsel for the petitioners is that after the investigation, police has submitted the final form against the petitioners but the cognizance has been taken in the year 2018. It has further been submitted that later on, the



informant has also appeared and stated before the court that by mistake the name of the petitioners has been mentioned in the coloumn of accused persons in place of the witnesses coloumn. It has further been submitted that petitioners have no knowledge about the cognizance being taken in this case and as such, they could not appear earlier and the other accused persons have been granted privilege of anticipatory bail by co-ordinate Benches of this Court.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners may move before the learned court below for regular bail, the same shall be considered by the learned court below on the basis of submission as made above as well as fact that the other accused persons have already granted privilege of anticipatory bail and considering the same, he will be disposed of the prayer for bail, if possible, on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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