

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34305 of 2019

Arising Out of PS. Case No.-414 Year-2018 Thana- BIDUPUR District- Vaishali

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1. RANDHIR KUMAR, S/O Sarekh Bhagat @ Ramsarekh Bhagat @ Ramsarekh Malakar Resident of Village- Bulandsarai P.S.- Bidupur, (Bhulen Sarai) District- Vaishali.
 2. Sarekh Bhagat @ Ramsarekh Bhagat @ Ramsarekh Malakar S/O Late Jogeshwar Bhagat @ Jogeshwar Malakar, Resident of Village- Bulandsarai P.S.- Bidupur, (Bhulen Sarai) District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Kumar Sinha
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-08-2019 This application, for grant of anticipatory bail, arises out of Bidupur P.S. Case No. 414/18, disclosing offences under Sections 341, 342, 323, 325, 337, 338, 307, 506/34 of the Indian Penal Code and Section 74 and 75 of J.J. Act.

Prosecution case is that 15 years old son of the informant was called by petitioner no. 1 and thereafter, the petitioners and others tied him with a tree and assaulted him by means of hockey sticks and rod and there is specific allegation

Submission of learned counsel for the petitioners is that the F.I.R. itself disclosed that there was scuffle between the children and to give the serious colour to the occurrence, this false and concocted allegation has been levelled and although



there is allegation of assault but the injuries sustained by the son of informant was found simple in nature.

Learned counsel for the State opposed the prayer for bail and submitted that the victim boy has also supported the allegation against the petitioners.

Having heard both sides, considering the facts and circumstances as well, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners should surrender before the court below by 28.08.2019 and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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