

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42439 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- NAWADA District- Nawada

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1. AMIRAK CHAUDHARY Son of Suresh Choudhary Resident of Village - Dewanpura, P.S.- Nawada Town (Kadirganj O.P.), District - Nawada.
 2. Sanoj Chaudhary Son of Suresh Choudhary Resident of Village - Dewanpura, P.S.- Nawada Town (Kadirganj O.P.), District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 27-09-2019 This application, for grant of anticipatory bail, arises out of Nawada Town (Kadirganj) P.S. Case No. 366/2018, disclosing offences under Sections 3147, 148, 149, 323, 324, 326, 307/302 of the Indian Penal Code.

Petitioners are named in the F.I.R. and allegation against them is that they came along with other accused persons with deadly weapons and other accused persons assaulted the son and father of informant causing injuries to them and father of the informant succumbed to his injuries.

Submission of learned counsel for the petitioners is that no specific allegation has been attributed to them and they have falsely been made accused in this case.



Learned counsel for the State as well as learned counsel for the Informant opposed the prayer for bail and submitted that in this case process under Section 82 and 83 Cr.P.C. has already been exhausted against the petitioners in the month of January itself, however, by suppressing the said facts, the petitioners have earlier got the interim protection.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather they are directed to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of materials available against these petitioners, without being prejudiced by this order.

This application is, accordingly, disposed of .

(Vinod Kumar Sinha, J)

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