

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47814 of 2019

Arising Out of PS. Case No.-230 Year-2014 Thana- KARAHGAR District- Rohtas

1. Shree Ram, Son of Late Keshwar Ram
2. Shiv Ram, Son of Late Keshwar Ram
3. Ambika Ram, Son of Late Keshwar Ram
4. Kamta Ram, Son of Late Keshwar Ram
5. Anil Ram, Son of Shree Ram
6. Bhimraj Ram, Son of Ambika Ram
7. Suraj Ram, Son of Shree Ram
8. Shri Bhagwan Ram, Son of Late Nathun Ram

All resident of Village - Thorsan, P.S.- Kargahar, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Tiwary, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 20-11-2019 Heard Mr. Nitya Nand Tiwary, learned counsel for

the petitioners and Mr. Md. Aslam Ansari, learned Addl.

Public Prosecutor for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Karagahar P.S. Case No. 230 of



2014, dated 24.08.2014, instituted for the offences under Sections 147, 149, 323, 325, 307, 379 and 376 of the Indian Penal Code.

Though the allegation of rape is on two other accused persons, *viz.*, Binod Ram and Munib Ram, but so far as the petitioners are concerned, they are said to have assaulted the father-in-law of the prosecutrix when he had gone to question about the conduct of the accused persons. Other accused persons are also said to have assaulted the family members of the prosecutrix. The nature of injuries suffered by the father-in-law of the informant appears to be simple from the averments made in the F.I.R.

However, considering the fact that this is a case of the year 2014 and some of the accused persons have been granted regular bail, I am not inclined to exercise my power under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail is, accordingly, rejected.

However, should the petitioners surrender before



the Court below within a period of four weeks and seek bail,
the Court below shall consider the case on its own merits,
without being prejudiced by the fact that the present
anticipatory bail application has not been entertained by this
Court.

The petition is dismissed with the aforesaid
observation.

(Ashutosh Kumar, J)

Praveen-II/-

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