

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47120 of 2019**

Arising Out of PS. Case No.-152 Year-2019 Thana- KOILWAR District- Bhojpur

1. CHANDAN KUMAR @ CHANDAN KUMAR RAY Son of Baleshwar Rai  
Resident of Village - Pacharukhiya, P.S.- Koilwar, District- Bhojpur
2. Dilip Rai @ Dilip Kumar Son of Umesh Rai Resident of Village -  
Pacharukhiya, P.S.- Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 60340 of 2019**

Arising Out of PS. Case No.-152 Year-2019 Thana- KOILWAR District- Bhojpur

GUDDU KUMAR @ GUDDU RAI s/o Bhikhari Rai Resident of Village-  
Pachrukhiya, P.S. Koilwar District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 47120 of 2019)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Pancha Nand Pandit

For Informant : Mr. Niranjan Kumar

(In CRIMINAL MISCELLANEOUS No. 60340 of 2019)

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

For the Informant : Mr. Niranjan Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

5      06-11-2019                      As both the above mentioned cases, arise out of same  
  
P.S. Case, they are clubbed together and are being disposed of  
  
by this common order for the sake of convenience.

Petitioners in both the above mentioned cases seek



bail in anticipation of their arrest in connection with Koilwar P.S. Case No. 152 of 2019 registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code.

Allegation as per F.I.R. is that while the brothers of the informant and others were going to cast their votes, petitioners and others came and enquired as to whom, they are casting their votes and on protest, accused persons raised the slogan of “Lal Salam” and surrounded the brothers of the informant and attacked on them and it is further alleged that co-accused Baijnath has assaulted the brother of the informant, namely, Malay Singh by butt portion of the rifle on his head due to which, he received injury and fell down and later on succumbed to his injury.

Submission of learned counsel for the petitioners is that altogether 14 persons have been named in the F.I.R. along with others. Further submission is that petitioners have no criminal antecedent and no specific allegation has been attributed to them and one of the co-accused of this case has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 01.08.2019 passed in Cr. Misc. No. 48009 of 2019.

Heard learned A.P.P. as well as learned counsel for the



informant. They have opposed the prayer for anticipatory bail for the petitioners. Learned counsel for the informant has submitted that while casting his vote, the deceased was brutally assaulted to death and others have also received injuries in the occurrence and considering the same, coordinate Benches of this Court have rejected the prayer of anticipatory bail of co-accused persons vide order dated 08.08.2019 passed in Cr. Misc. No. 49733 of 2019 and vide order dated 06.09.2019 passed in Cr. Misc. No. 51263 of 2019 by a detailed order.

Having heard both sides, considering the facts and circumstances of the case and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners have 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 merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

**(Vinod Kumar Sinha, J)**

sunilkumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

