

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71659 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- KAMTAUL District- Darbhanga

1. CHANDAN RAI @ CHANDAN KUMAR RAI Son of Late Kapleshwar Roy Resident Ward 9, Ganjrahhauli, P.O-Madopatti Raghauri, P.S-Kamtaul, Darbhanga.
2. Ram Lalit Mukhiya Son of Late Shivan Mukhia P.O.-Madhopatti, P.S.- Kamtaul, Darbhanga.
3. Mahesh Rai Son of Dhaneshwar Rai P.O-Madhopatti, P.S-Kamtaul, Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra with Ms. Neha Gupta
For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-12-2019 Petitioners seek bail in anticipation of their arrest in connection with Kamtaul P.S. Case No. 38 of 2019 registered for the offences punishable under Sections 341, 323, 307, 379, 427, 504 and 506/34 of the Indian Penal Code.

As per FIR petitioners demanded key of motorcycle from the informant and on refusal all the accused persons surrounded him and started assaulting him and specific allegation against the petitioners that they assaulted the informant, causing injuries to him.

Submission of learned counsel for the petitioners is that there is delay of 14 days in lodging FIR and from



petitioners' side one case has been filed against the informant and others and injuries have also been received from the petitioners' side and though one of the injuries is grievous but the same has not come within the purview of Section 320 IPC.

Heard learned APP, who has opposed the prayer for anticipatory bail stating that there is allegation against the petitioners one of the injuries on the head of informant is grievous in nature.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners. However, if they surrender and pray for regular bail, the same shall be considered on the basis of materials available on the record.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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