

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77941 of 2019

Arising Out of PS. Case No.-185 Year-2019 Thana- PAKARIBARAW District- Nawada

1. Kamlesh Kumar @ Lalu Yadav, Son of Harchan Yadav @ Harichandra Yadav @ Harichan Yadav Resident of Village - Bari Gulri, P.S.- Pakribarawan (Dhamaul O.P.), District - Nawada
2. Harichan Yadav @ Harchan Yadav @ Harichandra Yadav, Son of Late Roshan Yadav Resident of Village - Bari Gulri, P.S.- Pakribarawan (Dhamaul O.P.), District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned A.P.P. for the state.

The petitioners apprehending their arrest in a case registered for the offences under Sections 147,148,149,307,387,325,341,379,354(B) of the Indian Penal Code.

Allegation against these petitioners is of assault and attempted to commit rape to the female family members of the informant.

Learned counsel for the petitioners submits that there is no specific allegation against petitioner no. 2 for committing any overt act. It has been further stated that petitioner no. 2 has no criminal antecedent. However, there is allegation against petitioner no. 1 is general and omnibus in nature.

In view of the aforesaid facts and circumstances of the



case and the fact that there is no specific allegation against petitioner no. 2, I am inclined to grant anticipatory bail to the above named petitioner no. 2, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada, in connection with Pakribarawan (Dhamaul O.P.) P.S. Case No. 185 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no. 1 is concerned, there is specific allegation against him.

Considering the above facts and circumstances of the case, I am not inclined to enlarge petitioner no. 1 on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

Accordingly, the application is partly allowed.

(Anjani Kumar Sharan, J)

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