

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79105 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- DANDKHORA District- Katihar

1. Madan Kumar Arya, Son of Late Nand Prasad Arya Resident of Village - Souriya, Police Station - Dandkhora, District - Katihar.
2. Uday Kumar Arya Son of Late Nand Prasad Arya Resident of Village - Souriya, Police Station - Dandkhora, District - Katihar.
3. Jaiswal Sah @ Jaspal Kumar Sah Son of Late Nand Prasad Arya Resident of Village - Souriya, Police Station - Dandkhora, District - Katihar.
4. Chandradev Hembram @ Chandradev Hansda Son of Late Bitka Hembram Resident of Village - Souriya, Police Station - Dandkhora, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the informant.

In this case, the petitioners are seeking anticipatory bail in connection with Dandkhora P.S. Case No.53 of 2019, registered for the offence punishable under Sections 323, 341, 379, 147, 149, 307, 504 and 506 of the Indian Penal Code.

Allegation against the accused persons including the petitioners is to have assaulted the informant by lathi, danda and iron rod causing injury and on the same day, all the accused persons repeated the same occurrence with the informant.



Counsel for the petitioners submits that two cases have been lodged by the informant for same occurrence and prior to this, the petitioners have been granted bail in connection with Dandkhora P.S. Case No. 27 of 2019, whereas, counsel for the informant submits that Amar Kumar Arya and others have been granted bail by the court below with undertaking that they would not again repeat the same and whereafter they have again assaulted, which itself shows that they have violating the law.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail is rejected.

(Shivaji Pandey, J)

V.K.Pandey/-

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