

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82091 of 2019

Arising Out of PS. Case No.-356 Year-2016 Thana- RAMPUR District- Gaya

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1. VIKASH KUMAR S/o Shivnandan Das R/o Mohalla- Mustafabad, P.S.- Rampur, District- Gaya
 2. Babita Kumari D/o Shivnandan Das R/o Mohalla- Mustafabad, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashish

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-12-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Rampur P.S. Case No. 356 of 2016 for the offence registered under Sections 341, 323, 353, 504/34 of the Indian Penal Code.

The allegation is regarding the petitioners having created ruckus in the Police Station and having assaulted the Sub-Inspector of Police.

The learned counsel for the petitioners submits that it is unbelievable that the petitioners would assault the Sub-Inspector of Police in a Police Station and would still manage to flee away. It is submitted that the petitioners are innocent and have been falsely implicated in the present case as also they are having clean antecedents. Lastly, it is submitted that



though initially the learned Court of Sessions Judge, Gaya had granted the privilege of anticipatory bail vide order dated 01.03.2017 but since the petitioners could not surrender before the learned court below in time, another petition was filed and the same got dismissed. It is further submitted that after a lapse of more than two and half years, the petitioners had filed a petition for modification of the earlier order and for extension of the period granted for surrendering before the learned court below, however, the said application also got dismissed.

Having regard to the facts and circumstances of the case, though this Court is inclined to grant anticipatory bail to the petitioners herein but looking at the conduct of the petitioners, I deem it fit and proper to direct the petitioners to surrender before the learned court below within a period of two weeks from today whereupon the learned court below shall grant them the privilege of anticipatory bail subject to such conditions as may deem fit and proper to be imposed by the learned court below in connection with Rampur P.S. Case No. 356 of 2016.

It is made clear that in case the petitioners do not surrender before the learned court below within a period of two weeks from today and seek the privilege of bail, the learned



court below shall ensure that they are arrested and put behind
bar.

This petition stands disposed off on the aforesaid
terms.

(Mohit Kumar Shah, J)

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