

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17646 of 2020

Arising Out of PS. Case No.-90 Year-2019 Thana- KALER District- Jehanabad

1. DHARMENDRA KUMAR Son of Narayan Singh Resident of Village - Sukhi Bigha, P.S.- Kaler, P.O. - Kaler, Distt - Arwal.
2. Rajendra Kumar Son of Narayan Singh Resident of Village - Sukhi Bigha, P.S.- Kaler, P.O. - Kaler, Distt - Arwal.
3. Ravindra Kumar Son of Narayan Singh Resident of Village - Sukhi Bigha, P.S.- Kaler, P.O. - Kaler, Distt - Arwal.
4. Gobardhan Kumar Son of Narayan Singh Resident of Village - Sukhi Bigha, P.S.- Kaler, P.O. - Kaler, Distt - Arwal.
5. Manoranjan Kumar @ Guddu Patel Son of Sunil Patel Resident of Village - Sukhi Bigha, P.S.- Kaler, P.O. - Kaler, Distt - Arwal.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Harun Quarashi, Advocate
For the State	:	Mr. Abhay Kumar Roy, APP
For the informant	:	Mr. Vyas Kr. Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 30-09-2020 Heard Mr. Md. Harun Quarashi, learned Counsel for the petitioners and Abhay Kumar Roy, learned Additional Public Prosecutor for the State and Vyas Kumar Mishra, learned Counsel appearing on behalf of the informant.

The petitioners are apprehending his arrest in connection with Kaler P.S. Case No. 90 of 2019 registered for the offence under Sections 341, 323, 326, 307, 379 and 354/34 of the IPC.

Learned counsel for the petitioners submits that there



is case and counter case. Earlier the petitioners have lodged Kaler P.S. Case No. 89 of 2019 and thereafter, the present case i.e. Kaler P.S. Case No. 90 of 2019 has been lodged against these petitioners. The injury report reveals that injury is simple.

Considering the fact that there is open fight between the parties, the Court is not inclined to grant privilege of anticipatory bail to the petitioners. The prayer is accordingly rejected.

However, liberty shall be available to the petitioners to surrender before the Court below and pray for regular bail. In the event the petitioners surrender and pray for regular bail, the Court below shall consider and examine the contention of the petitioners with regard to case and counter case as also the fact that nature of injury is simple and pass appropriate order on the same day without being prejudiced by the refusal of anticipatory bail by this Court.

(Anil Kumar Upadhyay, J)

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