

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30336 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- HARSIDHI District- East Champaran

1. Pawan Singh @ Guddu Singh Son of Late Madan Singh Resident of Village - Bairiyadih, P.S.- Harsidhi, District - East Champaran
2. Aditya Kumar Singh Son of Pawan Singh @ Guddu Singh Resident of Village - Bairiyadih, P.S.- Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. A.G.
For the Informant	:	Mr. Pramod Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2020 Heard Mr. Ajay Kumar Singh, learned counsel for the petitioner, Mr. Pramod Kumar Pandey for the informant and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Harsidhi P.S. Case No. 8 of 2020 dated 05.01.2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code.

Several persons have been alleged to have assaulted the prosecution side including the deceased, who is the grand-father of the informant. Though the grand-father of the informant appears to have died out of head injury, caused in the transaction, but the



petitioners have not specifically been attributed with the role of assault. The petitioners along with many others are said to have assaulted the prosecution side.

Learned counsel for the petitioners submits that in view of such general and omnibus accusation against the petitioners, they deserve to be enlarged on anticipatory bail as there is a counter version of the occurrence also and the occurrence admittedly arose out of a small dispute.

The aforesaid ground do not weigh with this Court in granting anticipatory bail to the petitioners.

The prayer for anticipatory bail is rejected.

However, if the petitioners surrender before the court below and seek bail, their petition shall be considered on its own merits after taking into account that there is no specific accusation against the petitioners of being the authors of the fatal injury and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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