

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32689 of 2020

Arising Out of PS. Case No.-152 Year-2020 Thana- GOGRI District- Khagaria

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1. ABHISHEK KUMAR Son of Saheb Singh Resident of Village - Baltara, P.S.- Gogri, Distt.- Khagaria.
 2. Saheb Singh Son of Late Laldhari Singh Resident of Village - Baltara, P.S.- Gogri, Distt.- Khagaria.
 3. Mritunjay Singh Son of Late Jaldhari Singh Resident of Village - Baltara, P.S.- Gogri, Distt.- Khagaria.
 4. Amol Singh Son of Late Kallar Singh Resident of Village - Baltara, P.S.- Gogri, Distt.- Khagaria.
 5. Lankesh Singh Son of Laddulal Singh Resident of Village - Pansalwa, P.S.- Beldaur, Distt.- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-02-2021 Heard Mr. Binod Kumar, learned counsel for the

petitioner and Mr. Atul Chandra, learned APP for the State.

Mr. Binod Kumar, learned counsel for the

petitioners seeks permission to withdraw the application with

respect to petitioner nos. 2, 3 and 4.

The application with respect to petitioner nos.

2 /Saheb Singh, petitioner no. 3/ Mritunjay Singh and



petitioner no. 4/ Amol Singh is dismissed as withdrawn.

The petitioner nos. 1 and 5 seek bail in anticipation of their arrest in connection with Gogri P.S. Case No. 152 of 2020 (G.R. No. 1339 / 2020) instituted for the offences under Sections 147, 149, 341, 323, 307, 354(B) and 379 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that both the petitioner nos. 1 and 5 are students and have been made accused in this case because of a petty dispute which took place because of some past dispute between the families of the petitioners and the informant.

However, regard being had to the facts that two of the petitioners in the present application have surrendered to the process of law and one has been arrested, I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner nos. 1 and 5.

Their prayer for anticipatory bail is rejected.

However, if the petitioner nos. 1 and 5 surrender before the Court below and seek bail, the court below shall take into account that they are persons of less age and shall



pass a reasoned order without being prejudiced by the fact
that the present petition for grant of anticipatory bail on
their behalf has not been entertained.

(Ashutosh Kumar, J)

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