

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37531 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- KAKO District- Jehanabad

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1. NITISH KUMAR, S/o Late Mahesh Yadav R/o VillageManiyawan Tola, Mirzapur, P.S.- Kako, District- Jehanabad
 2. Sinto Yadav @ Sitoo Yadav, S/o Late Mukhdeo Yadav R/o VillageManiyawan Tola, Mirzapur, P.S.- Kako, District- Jehanabad
 3. Jagdish Kumar @ Jagdish Yadav, S/o Late Mukhdeo Yadav R/o VillageManiyawan Tola, Mirzapur, P.S.- Kako, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-05-2021 Heard Mr. Santosh Kumar, learned counsel for

the petitioners and Mr. Md. Aslam Ansari, learned APP

for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Kako P. S. Case No. 93 of

2020, dated 07.05.2020, instituted for the offences

under Sections 147, 341, 323, 325, 307, 379, 504 and

506 of the Indian Penal Code.

According to the F.I.R., it has been alleged that

the informant was assaulted by the accused persons,



including the three petitioners, as a result of which he suffered injuries.

The learned counsel for the petitioners has submitted that the accusation is general and omnibus in nature and only one of the injuries suffered by the informant is stated to be grievous. The other injuries are simple in nature.

It has also been urged before this Court that the petitioners are agnates and there is a counter version of the occurrence also.

However, regard being had to the fact that the informant has received one grievous injury, I am not inclined to exercise my discretion for granting anticipatory bail to the petitioners.

The prayer for anticipatory bail is, hereby, rejected.

However, if the petitioners surrender before the court below and seek bail, all the aspects of the case, noted above, shall be taken into account and an order



shall be passed, without being prejudiced by the fact that the present petition on behalf of the petitioners has not been entertained by this Court.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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