

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1279 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- JAMOBABAZAR District- Siwan

1. KASHINATH RAWAT, SON OF JAGARNATH RAWAT RESIDENT OF VILLAGE - SULTANPUR KHURD, P.S. - JAMO BAZAR, DISTRICT - SIWAN
2. AWADHES RAWAT @ AWADHESH KUMAR, SON OF SHIVJI RAWAT RESIDENT OF VILLAGE - SULTANPUR KHURD, P.S. - JAMO BAZAR, DISTRICT - SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 13-07-2021 Heard Mr. Ashok Kumar, learned counsel for the petitioners and Mr. Kanhaiya Kishore, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Jamo Bazar P. S. Case No. 43 of 2020, dated 30.03.2020, instituted for the offences under Sections 341, 323, 324, 307, 302 and 34 of the Indian Penal Code.

The petitioners are said to have participated in an occurrence where one person has died. The petitioner



no. 1 is said to have assaulted one Ranjan Devi and Haresh Rawat whereas petitioner no. 2 is said to have assaulted another victim.

The learned counsel for the petitioners has submitted that the injuries caused by the petitioners have been reported to be simple in nature.

The order giver in this case and some of the accused persons who have caused injuries to some of the victims have been granted anticipatory bail by a Bench of this Court.

However, considering the fact that one person has died in the occurrence, I am not inclined to exercise my discretion for granting anticipatory bail to the petitioners, notwithstanding the fact that they are not the assailants of the deceased.

The prayer for anticipatory bail is, hereby, rejected.

However, if the petitioners surrender before the court below and seek bail, their applications shall be



considered on its own merits, taking into account that similarly situated persons have been granted anticipatory bail by a Bench of this Court, and the court below shall pass orders in accordance with law, without being prejudiced by the fact that the present petition on their behalf has not been entertained by this Court.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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