

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1251 of 2021

Arising Out of PS. Case No.-201 Year-2020 Thana- ISLAMPUR District- Nalanda

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1. Suraj Pal, S/o Gopal Prasad
 2. Ravi Kant Kumar @ Kumar Pal @ Raj Kumar Pal, S/o Gopal Prasad
 3. Gopal Prasad @ Gopal Pal, S/o Late Shivji Mahato
- All are Resident of Village-Bhambhaura, P.S.-Islampur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Adv.
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-07-2021 Heard Mr. Nawal Kishore Prasad, the learned

Advocate for the petitioners and Mr. Gauri Shankar Gupta,

the learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Islampur P.S. Case No. 201 of

2020, dated 14.04.2020, instituted for the offences under

Sections 341, 323, 504, 447, 379 and 34 of the Indian



Penal Code.

The accusation in the F.I.R. is that the petitioners entered into the house of the informant and assaulted her and other members of the family.

The learned counsel for the petitioners has submitted that because of some dispute between the parties, this case has been lodged. The petitioner No. 3 is also said to have lodged a case against the informant and others. The informant and others have received simple injuries, whereas in the counter F.I.R., the injuries suffered by the victims are reported to be grievous.

It has further been submitted that a quarrel took place because of some dispute in the family. Considering this aspect of the matter, it has been argued, the arrest of the petitioners was deferred and they were given a reprieve by the police under Section 41A of the Code of Criminal Procedure.

Regard being had to the aforesaid facts, this case is disposed off with the observation that in case the petitioners surrender before the Court below and seek bail,



the Court below, after taking into account all the points noted above as also that the petitioners did not misuse such privilege, shall pass orders in accordance with law, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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