

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49425 of 2015

Arising Out of PS.Case No. -127 Year- 2015 Thana -KHODAWANPUR District- BEGUSARAI

1. Umesh Das Son of Late Anup Das

2. Rajesh Das Son of Umesh Das

3. Sanjay Das Son of Umesh Das

All residents of village - Meghaul, P.S. Khodawandpur, District - Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. S.D.Singh Yadav , APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Khodawandpur P. S. Case No. 127 of 2015 registered under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

According to the prosecution case, the informant Dinesh Kumar Singh went to bring grass from his field and then he saw that the petitioners were cutting the grass in his field. When the informant objected, all the accused persons attacked upon him with deadly weapons, as a result of which he sustained head injury

and fell down. Murari Singh came and saved him.

It is contended that only one injury caused to the informant was found grievous whereas all other injuries were simple in nature. It is also contended that had there been any intention to kill the informant, the petitioners being variously armed would have succeeded in accomplishing their intent. It is submitted that for want of an intention to kill the informant the ingredients of offence under Section 307 of the Indian Penal Code would not be attracted in the present case.

Regard being had to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the application is rejected.

(Ashwani Kumar Singh, J.)

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