

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34713 of 2016

Arising Out of PS.Case No. -66 Year- 2016 Thana -BAHERI District- DARBHANGA

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1. Birendra Lal Deo @ Birendra Kumar S/o Ashok Lal Deo
 2. Ashok Lal Deo, S/o Bishun Lal Deo @ Bishundeo Lal Deo
 3. Pankaj Lal Deo @ Pankaj Kumar S/o Ashok Lal Deo.
 4. Vivek Lal Deo @ Vivek Kumar s/o Ashok Lal Deo, All are resident of Village- Athar, P.S Baheri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choubey Jawahar, Adv.
For the Informant : Mr. Rana Pratap Singh, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-09-2016 Heard both sides.

The petitioners apprehend their arrest in Baheri P.S.
Case No. 66/2016, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

The informant alleged that at about 11.00 in the night he
was at his village Chowk. Birendra Lal Deo and Ashok Lal Deo
took him on the pretext of some urgent work. Birendra Lal Deo
and Ashok Lal Deo injected him some intoxicant and thereafter all

the accused persons brutally assaulted the informant and threw him under the bridge.

Learned counsel for the petitioners submits that the entire allegation is false and concocted. Ashok Lal Deo filed complaint case no. 530/2016 alleging therein that the informant has come to his shop and demanded extortion for taking wine. The informant also demanded cough syrup, as the government has ban liquor. It is submitted that the informant was admitted in the hospital, but the doctor disclosed that (at page 18) the informant got injury on account of fall from height. There is no other injury on any part of the body. One of the accused was in Kolkata, but all the family members have been falsely implicated in this case.

On the other hand, learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioners.

It appears that the informant has made very specific allegation that the petitioners forcibly injected him some intoxicant and thereafter brutally assaulted him. The informant got grievous injury on his head. During the course of investigation, the witnesses have also supported version of the informant. The doctor, who examined the informant, also found many injuries on his body. The injury found on his head is opined to be grievous in

nature.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioners above-named on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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