

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39686 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -BACHWARA District- BEGUSARAI

- =====
1. Vinod Rai Son of Narayan Rai
 2. Sunil Rai @ Lalu Son of late Ram Bilas Rai Both Resident of Village-
Jahanpur, Police Station- Bachhawara, District Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-10-2016 Heard both sides.

Petitioners apprehend their arrest in Bachhawara P.S.

Case No.72 of 2016 under Section 307 and other Sections of the
Indian Penal Code.

Surendra Rai, the informant named these two
petitioners along with other seven persons and made allegation
that the accused persons assaulted the informant, his brother
Sudhakar Rai, nephew Chandan Kumar and other family
members. The informant further alleged that Sunil Rai and Vinod
Rai, both the petitioners assaulted Sudhakar Rai on his head with
iron rod.

The learned counsel for the petitioners submits that

the informant, in the first part of his fardbeyan, made omnibus and general allegation against the petitioners and other accused persons but the informant developed his case. In second part he made specific allegation against the petitioners that they assaulted Sudhakar Rai with iron rod on his head. During the course of investigation, the mother of the informant and other witnesses did not make any specific allegation of assault against the petitioners. There is a counter version and from the side of the petitioners six persons are injured but from perusal of the case diary and the injury report of Sudhakar Rai, it appears that there is specific allegation against the petitioners that they assaulted Sudhakar Rai with iron rod on his head and Sudhakar Rai got injuries on head which is grievous in nature.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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