

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17990 of 2016

Arising Out of PS.Case No. -392 Year- 2012 Thana -BIHPUR District- BHAGALPUR

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1. Jyoti @ Jyoti Singh, S/o Late Bhuneshwar Singh, Resident of Village- Marwa P.S.- Bihpur (Jhandapur), District- Bhagalpur.	
2. Tania Miya @ Sekh Taina Miya, S/o Sekh Kerely Village - Marwa P.S Bihpur (Jhandapur), District- Bhagalpur.	 Petitioners
Versus	
The State of Bihar	 Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh
For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-05-2016

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Bihpur (Jhandapur) P.S. Case No. 392 of 2012 for the offences
punishable under Sections 147, 148, 149, 323, 326, 307, 302, and
380 of the Indian Penal Code.

The Prosecution case is that the informant Deepak
Kumar gave written application to the Bihpur Jhandapur S.H.O.
alleging therein that on 05.11.2012 night and 06.11.2012 at about
1:45 A.M., the accused persons and their associate had entered
into his house and had assaulted his wife by axe and further
assaulted the father of the informant by iron rod with an intention
to kill him and had also assaulted the informant by the fists and
butt of pistol. It is further alleged that gold ornaments of thirty
bhar and documents of land and cash about 1.5 lac were also
taken by the accused persons from the father of the informant. The

father of the informant had succumbed to the injuries and informant's wife had sustained grievous injuries and was taken to hospital for treatment.

It has been submitted by the learned counsel for the petitioners that petitioners are innocent and have committed no offence. He further submits that the injury and the postmortem report of the father of the informant is not attributable to them and there is long drawn land dispute between the petitioners side and the informant side.

However, the learned APP for the State submits that the petitioners have caused injury on the wife of the informant Babita Devi. The injury report is found to be grievous in nature and all injuries are dangerous to life, hence opposed the prayer for bail.

It has also been submitted that both the petitioners have criminal antecedent and the wife of the informant was brutally assaulted by these petitioners and under such circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail stands rejected.

(Nilu Agrawal, J.)

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