

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31213 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sunil Singh Son of Late Deep Narayan Singh
 2. Chunnu Singh Son of Late Udit Singh
 3. Bablu Singh Son of Late Girja Singh All are resident of Village-Teusa, P.S.- Fenhara, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-09-2016 Heard both sides.

The petitioners apprehend their arrest in Fenhara P.S. Case No. 09/2016, G.R. Case No. 652/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant alleged that while he was stacking the articles in his shop the petitioners and others having armed with different weapons came and demanded Rs. 20,000/-. On refusal the petitioners Sunil Singh and Bablu Singh assaulted the informant with dagger. Chunnu Singh snatched Rs. 35,000/- from the shop of the informant.

Learned counsel for the petitioners submits that petitioners and informant are co-villagers. Some verbal altercation took place in the morning and that is why this false case has been lodged. The occurrence is said to have taken place in the month of January in the village and there is no possibility of looting the shop in the night at 10.00 p.m. The informant got simple injury, but from F.I.R. and case diary, it appears that there is specific allegation against Sunil Singh and Bablu Singh that they assaulted the informant with dagger on his head and Chunnu Singh snatched money only because the informant refused to give money to the petitioners. Altogether five injuries were found on the person of the injured, out of which, opinion with regard to injury found on the head of the informant is kept reserved.

It appears that only because of refusal of giving money the petitioners assaulted the informant.

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

(Prabhat Kumar Jha, J.)

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