

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7090 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -KINJAR District- JEHANABAD

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1. Rabindra Ram @ Baua S/o Late Nanhak Ram
2. Geeta Devi W/o Rabindra Ram @ Baua
3. Ranjeet Kumar
4. Thotha Ram @ Sanoj Kumar
5. Goga Ram
6. Ravi Kumar @ Bittu Kumar
All sons of Rabindra Ram @ Baua Residents of Village - Angari Chakiya,
P.S. - Kinjar, District - Arwal. Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Kinjar P.S. Case No. 103 of 2016 registered for the offences punishable
under Sections 341, 323, 325, 324, 307, 504/34 of the Indian Penal
Code.

Allegedly, the petitioners caused threats to leave the
place otherwise to kill the informant and when the wife of the informant
protested, she was assaulted by them by lathi-danda and sickle, they
also injured the informant and further fractured left thumb and when
father Shambhu Lal came for rescue, he was also assaulted on his head.

Submission is of false implication and that all the
injuries found on the person of the informant, his wife and father are



simple in nature caused by hard and blunt substance, the petitioners have got no criminal antecedent and they all are family members and as such they deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail by submitting that the opinion regarding nature of injury no. 1 of the informant has been kept reserved and opinion regarding injury no. 1 of wife of the informant is also kept reserved and on vital part the injuries were found on the wife of the informant.

In the facts and circumstances stated above, considering that on the head of the informant's wife 3 injuries have been found and opinion of injury no. 1 has been kept reserved and all have assaulted the wife of the informant brutally, I am not inclined to grant privilege of pre-arrest bail to the petitioners, accordingly, their such prayer stands rejected.

However, in case and if so advised, the petitioners surrender and seek regular bail before the court below, then their prayer for bail shall be considered on its own merit without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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