

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6147 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -KATIHAR MUFFASIL District- KATIHAR
=====

1. Pratima Devi, wife of Ram Prakash Mandal.
 2. Ram Prakash Mandal, son of late Beni Mandal
- Both Resident of Village-Haflaganj, POlice Station-Muffassil, District-Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-03-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Katihar Muffassil P.S. Case No. 193 of 2016 instituted for the offence under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

There is specific allegation in the written report against the petitioner No. 2 of assaulting the son-in-law of the informant with knife on his chest and when he raised his right hand to save himself, he sustained injury in his palm and little finger as a result of which he fell down. It is further alleged that when the informant along with her daughter rushed to save her son-in-law, the petitioner No. 1 with other co-accused persons caught hold and



assaulted the informant and her daughter with iron rod due to which they sustained injury.

The injury report of the informant has been enclosed as Annexure-4 which shows that she sustained grievous injury.

From the order of the learned Sessions Judge it appears that out of four accused persons (including petitioners), two of them were granted anticipatory bail by the learned court below and since there is specific allegation against the petitioners, their prayer for anticipatory bail was rejected.

Keeping in view the specific allegation against both the petitioners and assault made by them on the informant, her daughter and son-in-law and the injury sustained by the informant was found to be grievous in nature, this Court does not find it a fit case for grant of anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners stands rejected.

The petitioners are directed to surrender before the court below and make prayer for regular bail which shall be disposed off by the court below on the same day in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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