

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50732 of 2017

Arising Out of PS.Case No. -284 Year- 2016 Thana -MANJHI District- SARAN

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1. Hare Ram Singh, Son of Late Bindhyachal Singh,
2. Vinod Singh, Son of Late Bindhyachal Singh,
Both R/o Village- Nachap, P.S.- Manjhi, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are seeking anticipatory bail in connection with Manjhi P.S. Case No.284 of 2016 registered for the offences punishable under Sections 147, 148, 323, 324, 307, 427 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners and the informant are gotiyas in the village and due to some petty disputes between the parties they allegedly indulged in a fight on 17.10.2016. The petitioner no.1 in the present case lodged an FIR in this connection on 18.10.2016 giving rise to Manjhi P.S. Case No.243 of 2016 for the offences inter alia under



Section 307 of the Indian Penal Code. Two persons from the petitioners' side received injuries which will be evident from Annexure-3. The injuries were found simple in nature. These two petitioners were also assaulted and they suffered lacerated wounds over right side on their head. The informant's side also suffered injuries which are all simple in nature and said to have been caused by hard blunt substance. It is further submission of the learned counsel for the petitioners that the present case came to be lodged by the informant only on 25.10.2016 by way of a private complaint which was referred to the police under Section 156(3) Cr.P.C. Learned counsel therefore submits that the present case has been filed just by way of retaliation when the petitioner no.2 had already lodged an FIR with respect to the occurrence which had taken place on 17.10.2016.

On the other hand, learned APP for the State opposed the prayer for anticipatory bail submitting that the learned Sessions Judge has found that these two petitioners have caught the complainant while the other accused Nitesh had assaulted him and his uncle with axe on their head.

Considering the facts and circumstances of the case, let the petitioners surrender in the court below, if so advised, within a period of four weeks and if pray for regular bail the court



below shall consider the entire circumstances including that these two petitioners have also received lacerated wounds on their scalp and petitioner no.1 had lodged an FIR at the very first instance and also that there is no allegation of assault against these petitioners and they have no criminal history.

With the above observations, the prayer for anticipatory bail is rejected. The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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