

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1624 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -BIHIYA District- BHOJPUR

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1. Rajani Kant Ojha @ Pintu Ojha,
 2. Anjani Kant Ojha @ Bitu Ojha, both are sons of Shashi Kant Ojha, resident of village - Chandakewatia, P.S. - Bihiya (O.P. - Bahoranpur), District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 21-02-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Bihiya (Bahoranpur OP) P.S. Case No.126 of 2016 instituted for the offence under Section(s) 147, 148, 149, 452, 341, 323, 307, 354-B, 504 Indian Penal Code pending in the Court of the Additional Chief Judicial Magistrate, Bhojpur at Ara.

There is allegation against petitioner No.1 that he assaulted Sonu Prasad with iron rod causing injury on the back side of his neck and he fell down unconscious. Petitioner No.2 is alleged to have assaulted nephew of the informant, namely, Saroj Prasad with *Daab* causing injury on his left wrist and ear and bleeding started. Thereafter, Arun Ojha assaulted the informant causing bleeding injury on his head and eye brow. Other accused



persons started firing with *katta*, gun etc. It is further alleged that other accused entered into the house and pushed down the daughter-in-law and wife of the informant, torn the blouse and started pressing breast.

From the Injury Reports, it appears that the doctor has found grievous injury on the person of Sonu Prasad and cut wound over left ear on the person of Saroj Kumar and opinion was kept reserved.

It has been submitted on behalf of the petitioners that none of the eye witnesses have supported the case. There is previous enmity between the parties.

In view of nature of allegation as well as Injury Reports, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioners may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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