

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53191 of 2017**

Arising Out of PS.Case No. -175 Year- 2017 Thana -BEGUSARAI MUFFASIL District-  
BEGUSARAI

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1. Hare Ram Rai, Son of Late Jhari Rai.  
2. Manoj Rai, Son of Hare Ram Rai.  
3. Lallit Vijay @ Lallit Vijay Kumar Roy, Son of Hare Ram Rai, All are  
Resident of village- Kachahari Tola, Rachiyahi, Police station- Muffasil  
(Singhaul), District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      09-11-2017                      Heard the learned counsel for the petitioners and the  
learned A.P.P. for the State.

The petitioner apprehends their arrest in connection  
with Begusarai Muffasil (Singhaul) P.S. Case No. 175 of 2017  
instituted for the offences punishable under Sections 147, 148,  
341, 323, 324, 354, 379 and 307 of the Indian Penal Code.

The case has been registered on the basis of typed  
written report submitted before the S.H.O of Muffasil (Singhaul  
O.P.) Police Station. The informant has alleged that on 29.04.2017  
at about 6 A.M., these petitioners and two others assaulted her  
husband and son by means of spade and Paghariya. The family



members of these petitioners assaulted the informant when she proceeded to rescue her husband and son. The accused persons further snatched an amount of Rs. 2,000/- from the pocket of her husband and a box containing ornaments and clothes from her house.

The contention of the learned counsel for the petitioners is that both the parties are agnates and the occurrence of assault took place on account of land dispute for which a title suit is also pending since before the occurrence. The allegation of assault is omnibus against all the accused persons and so, they deserve anticipatory bail.

The learned APP for the State, on the other hand, opposed the submission.

On perusal of F.I.R. and injury reports on record, I find that the allegation of assault by sharp cut weapon and spade is specific against all the three petitioners. The injury report on record shows that the injured Vijay Kumar Rai sustained fracture injury on left clavicle, which is grievous in nature. The husband of the informant also sustained grievous injuries on middle phalynx of ring finger of left hand besides injury on skull, which is vital part of the body.

Considering the grievous nature of injuries caused on



the husband and her son by sharp cut weapon, I am not inclined to extend them the privilege of anticipatory bail. The prayer is, therefore, rejected.

**(Sanjay Kumar, J)**

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