

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58175 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -JALALPUR District- SARAN

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Prashun Datta Trivedi, Son of Bagish Dutta Trivedi, resident of Village-
Jalalpur, P.S.- Jalalpur, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.57230 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -JALALPUR District- SARAN

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Rahul Dutt Trivedy S/o Bagish Dutt Trivedy, R/o Village- Jalalpur, P.S.-
Jalalpur, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.58175 of 2017)

For the Petitioner/s : Mr. Shatrughan Pandey

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

(In Cr.Misc. No.57230 of 2017)

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Rajkishore Singh

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

ORAL ORDER

3 18-01-2018 Both the Criminal Miscellaneous are of the same case

and as such have been heard together and are being disposed of by

passing this common order.

Heard the learned counsel for the petitioners, the

learned A.P.P. for the State as also the learned counsel for the



Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Jalalpur P.S. Case No. 109 of 2017 for the offences punishable under sections 341, 323, 324, 325, 307, 504 and 506/34 of the I.P.C.

Allegedly, co-accused Piush Dutt Trivedi told the informant that the petitioner Rahul Dutt Trivedi was calling and then the informant sent his son Abkash and as soon as Abkash reached at the shop of Rahul Dutt Trivedi Piush Dutt Trivedi caught Abkash and the petitioner Rahul Dutt Trivedi started assaulting with farsa on the head of Abkash causing cut injury at several places and he fell down and then the petitioner Prashun Dutt Trivedi, Satyam Dutt Trivedi and Shivam Dutt Trivedi started assaulting with iron rod, lathi and hockey stick to Abkash. After hearing the cry of Abkash the informant went to save him then he was also assaulted by the petitioner Rahul Dutt Trivedi with farsa causing injury to left ear and others started assaulting the informant with hockey stick and lathi. Petitioner Rahul Dutt Trivedi and co-accused Piush Dutt Trivedi were speaking to kill the informant and his son and after seeing both dead the accused persons went away.

Submission is of false implication and that the



prosecution story appears not probable and reliable, there is case and counter case, due to land dispute the occurrence has taken place, the petitioners have got no criminal antecedents and as such they deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that Abkash Kumar Trivedi has received four lacerated wounds on the head and further 5th injury is near the eye and all the injuries have been found grievous in nature. The informant has also received injury and as such the petitioners do not deserve pre-arrest bail.

In the facts and circumstances stated above, considering the allegation attributed against both the petitioners, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Saran at Chapra.

(Jitendra Mohan Sharma, J)

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