

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13215 of 2019

Arising Out of PS. Case No.-380 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

1. ABHAY SINGH Son of Late Chandrama Singh Resident of Village- Chauchakka, P.S.- Kuchaikot, District- Gopalganj.
2. Munna Singh Son of Late Chandrama Singh Resident of Village- Chauchakka, P.S.- Kuchaikot, District- Gopalganj.
3. Pankaj Sah @ Pankaj Shah @ Pankaj Sarkar Son of Raju Sah Resident of Village- Chauchakka, P.S.- Kuchaikot, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-04-2019 This application, for grant of anticipatory bail, arises out of Kuchaikot P.S. Case No. 380/18, disclosing offences under Sections 341, 323, 324, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Allegation as per F.I.R. is that informant received a phone call of petitioner no. 3, who used derogatory language and also asked the informant to provide the phone number of his grand daughter. After some time again a phone call came, which was received by the daughter in law of the informant and he again asked the phone number of grand daughter of the informant and also threatened to kidnap her. Thereafter, in the



evening petitioners along with 50 to 60 persons variously armed came to the house of the informant and there is allegation against petitioner no. 1 that he assaulted the younger son of informant by means of farsa and petitioner no. 2 assaulted the informant by farsa and petitioner no. 3 assaulted the grandson of informant by means of farsa, causing multiple injuries to them.

Submission of learned counsel for the petitioners is that they have falsely been made accused in this case and further there is case and counter case between the parties and persons from the petitioners' side have also sustained injuries.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail and submitted that due to assault by the petitioners, the informant, his son and his grandson have sustained multiple injuries on their head and faces and so far counter case is concerned, the same has been lodged after one day from filing of the present case.

Having heard both sides, considering the facts and circumstances and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case,



without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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