

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23002 of 2019

Arising Out of PS. Case No.-407 Year-2018 Thana- GARKHA District- Saran

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1. Birendra Rai aged about 48 Years (Male) Son of Late Shivnath Rai
 2. Mukesh Rai aged about 25 years (Male) Son of Birendra Rai
Both are resident of Village-Tahal Tola, P.S.-Garkha, District - Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Kumar, Advocate
For the Opposite Party : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427 and 448 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Garkha P.S. Case No. 407 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the injury reports as noticed in the order of the learned Sessions Judge, Saran at Chapra dated 23.01.2019 passed in ABP No. 4032 of 2018 do not appear to corroborate the accusation of assault with sword and farsa by the petitioners respectively. Negotiations are going on for amicable settlement of the dispute between the parties.

4. Having regard to the nature of accusations, gravity of offence alleged as well as injury report referred to by the learned Sessions Judge which discloses the sharp cutting injuries on scalp back (occipital area) of Lalsa Rai attributed to the assault by the petitioner no.1 and the injury report of Gautam Rai discloses sharp



cutting wound near left eye brow attributed to the assault by the petitioner no. 2 with farsa, this Court is not inclined to grant anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

BT/-

(Vikash Jain, J)

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