

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29852 of 2019

Arising Out of PS. Case No.-734 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. NARESH RAI @ NARESH RAY
 2. Manoj Rai
Both sons of Jhabar Rai
 3. Jhabar Rai S/o Late Chalitar Rai
All residents of village- Jaisinghpur Chilrav, P.S.- Turkauliya, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-05-2019 Heard Mr. Umesh Chandra Verma, learned counsel
for the petitioners, Mr. Madhurendra Kumar, learned counsel for
the informant and Mr. Ajay Kumar Jha, learned A.P.P. for the
State.

The petitioners apprehend their arrest in Turkauliya
P.S. Case No.734 of 2018 registered under Section 307 and
other Sections of the Indian Penal Code.

The informant named the petitioners along with other
accused persons. The petitioner, Naresh Rai is said to have
assaulted Subhash Rai on his head with farsa and thereafter
Naresh Rai assaulted Punit Rai by means of farsa. Petitioner



No.2 assaulted Punit Rai and Subhash Rai, the informant, by means of rod and petitioner No.3, Jhabar Rai is alleged to have assaulted Abhay Rai, Chulhai Rai and Punit Rai by means of bhala causing injury on leg and hand.

The learned counsel for the petitioners submits that on account of alleged dispute, the occurrence took place. Most of the injuries found on the person of the informant and others are simple in nature. Even the grievous injury was found on non vital parts of the body but it appears that petitioners are alleged to have indiscriminately assaulted the informant(Subhash Rai), Punit Rai and Chulhai Rai by different weapons. Subhash Rai got grievous injury on right hand besides the injury found on his head and neck. Punit Rai also got grievous injury on head on account of assault made by one of the petitioners. Chulhai Rai also got as many as three injuries and injury No.2 found on wrist is opined to be grievous in nature.

Taking into consideration the fact that on account of assault made by the petitioners grievous injuries are caused to the informant(Subhash Rai), Punit Rai and Chulhai Rai, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender before the court below,



learned court below shall consider the prayer for regular bail of the petitioners on its own merit without being prejudiced to the order of this Court.

(Prabhat Kumar Jha, J)

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