

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56701 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- KOTWA District- East Champaran

1. Laxman Rai S/o Sheo Shankar Rai,
2. Nabab Rai S/o Do-
3. Dilip Rai S/o Do-
4. Jitendra Rai S/o Late Kailash Rai,
5. Harendra Rai S/o Jitendra Rai,
6. Munna Rai S/o Do-
All R/o Vill.- Pokhra, P.S.- Kotwa, District- East Champaran.
... .. Petitioners

Versus

The State Of Bihar
... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar, Advocate
For the informant : Mr. Bimal Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioners and learned
counsel representing the informant. No one appears on behalf of
the State.

The petitioners are seeking anticipatory bail in
connection with Kotwa P.S. Case No. 126 of 2018, G.R. Case
No. 3600 of 2018 registered under Sections 147, 149, 341, 323,
324, 325, 308 and 379/34 of the Indian Penal Code, pending in
the court of learned AJCM-10, Motihari, East Champaran.

Learned counsel for the petitioners submits that
petitioners and the informant are close agnates, they got land
disputes and because of the same it appears that they had a fight
in which the alleged occurrence seems to have taken place. It is



however submitted that the injury reports present at Annexure-2 series show that all the injuries were simple in nature.

On the other hand, learned counsel representing the informant submits that from the injury report it would appear that the victims were assaulted on the vital part of the body i.e. on the skull which caused lacerated wound. It is further submitted that the petitioner no. 1 has got criminal history. It is also pointed out from supplementary affidavit filed today that petitioner no. 4 & 6 are also accused in one Complaint Case No. C-622/2018 registered for the offence under Sections 323, 541 and 379 of the Indian Penal code.

Considering the facts and circumstances of the case wherein some injuries are said to have been caused on the head of the victim, even though the injuries are simple in nature, this court is not inclined to grant privilege of anticipatory bail to these petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected.

In case, petitioners surrender in the court below and pray for regular bail within a period of four weeks from today, the same shall be considered by the court below on its own merit and the application shall not be rejected only because the



prayer for anticipatory bail has been refused by this court. The court below shall take into consideration the nature of injuries and shall pass an appropriate order in accordance with law.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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