

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41287 of 2019**

Arising Out of PS. Case No.-196 Year-2019 Thana- FORBESGANJ District- Araria

1. Md. Waquar @ Waquar Ahmad, aged about 36 years, male, Son of Md. Shaquib Resident of Village Chilhainiya, Police Station- Mahalgaon, District- Araria.
2. Ashish Kumar, aged about 36 years, Son of Bhola Prasad Singh Resident of Village Supaul, Market Ward No. 16, Police Station- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Nath Dubey  
For the Opposite Party/s : Mr. Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

3      08-07-2019                      Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Forbesganj P.S. Case No. 196 of 2019 registered for offences under sections 341, 323, 325, 307, 379/34 of the Indian Penal Code.

As per prosecution story, on 2.3.2019 at about 8 p.m., the Informant along with his cousin brother Vishal Kumar was coming from Purnia to Forbesganj by his car bearing registration no. JM10E/1882. When they reached near Sirisia Hat over-bridge, at N.H. 57, the accused persons came and overtook his vehicle, took out his cousin brother from the



vehicle, thereafter, the accused persons started assaulting the Informant and his brother with iron rod indiscriminately and the accused Istekhar snatched case of Rs. 7,000/- from the pocket of the Informant. The Informant also sustained serious injury. The brother of the Informant sustained fracture injuries in his arm and leg and also head injury. The accused persons also broke the glass of the vehicle. On alarm, the villagers reached there and caught Md. Istekhat but, other accused persons escaped from there.

Learned counsel for the petitioners submits that the dispute arose during traveling in the road, the story as stated in the F.I.R. is concocted story and submits that the Informant himself is a criminal, has come from jail recently and wrongly the petitioners have been implicated in the present case.

This case is nothing but, a road rage.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Accordingly, the prayer for bail of the petitioners, above named, is rejected.

If the petitioners surrender before the court below within a period of three weeks from today and make a prayer for



bail, the court below, without being prejudiced by this order,  
will pass orders in accordance with law preferably on the same  
day of their appearance.

**(Shivaji Pandey, J)**

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