

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54338 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- GAMAHARIYA District- Madhepura

1. NAND KISHORE RISHIDEO S/o Mahavir Rishideo R/o village- Jiwachhpur, Ward No. 2, P.S.- Gamharia, District- Madhepura
2. Fulendra Rishideo @ Fulendar Rishideo S/o Nand Kishore Rishideo R/o village- Jiwachhpur, Ward No. 2, P.S.- Gamharia, District- Madhepura
3. Surendra Rishideo S/o Nand Kishore Rishideo R/o village- Jiwachhpur, Ward No. 2, P.S.- Gamharia, District- Madhepura
4. Sulendra Rishideo S/o Nand Kishore Rishideo R/o village- Jiwachhpur, Ward No. 2, P.S.- Gamharia, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Sheela Pandey

For the Opposite Party/s : Mr.Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gamharia P.S. Case No.81 of 2018 registered under Sections 341, 323, 324, 325, 307 and 504/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Madhepura.

The accusation is that the father of the informant Ramchandra Chaudhary was busy in connection with his eye operation. On 08.05.2018 at about 10.00 P.M., when the



informant reached to his house, then he heard that eight persons, named in the F.I.R., including the petitioners had established the idol of Mahavirji on his land. Thereafter, the informant went to his land, where the aforesaid persons armed with weapons were present, whereupon they caused assault to the informant, due to which the informant fell down on the ground and sustained injury on his head caused by Dabia and Farsa at five places and the bones of his shoulder, chest, chin and hand were dislocated.

Learned counsel appearing on behalf of the petitioners submits that while the allegation has been made against the petitioners and others, named in the F.I.R., to cause injury to the informant but out of the seven injuries, as found on the person of the informant, five injuries are said to be simple in nature, whereas two injuries are said to be grievous in nature. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered



by the trial court in accordance with law without being
prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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