

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69760 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- TEKARI District- Gaya

-
-
1. BRAJESH RAO @ BRAJESH KUMAR @ BARNESH RAO @ BARNESH KUMAR Resident of Village - Law, P.S.- Tekari, District- Gaya
 2. Mithilesh Kumar @ Mithilesh Rao, Both Son of Rajendra Raw
 3. Baliram Rao @ Baliram Kumar Son of Madheshwar Rao, All Resident of Village - Law, P.S.- Tekari, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 13-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 323, 341, 447, 504, 308 and 34 of the Indian Penal Code.

Informant has alleged in his written complaint that on 08.06.2019 at about 5 P.M., FIR named accused including petitioners were abusing Baleshwar Rao, his wife and their children and when he went to pacify them, they became violent and co-accused Madheshwar Rao instigated and assaulted on the head of informant by iron rod as a result he sustained head injury. Allegation against Mithilesh Rao (petitioner no. 2) is of snatching golden chain of the informant. Further allegation



against Baliram (petitioner no. 3) of assaulting the informant by hockey stick and when his children came to rescue him, Mithilesh Kumar (petitioner no. 2) and Barnesh Kumar (petitioner no.1) assaulted them on their head and, thereafter, informant and both of his sons were taken to Primary Health Centre for treatment from where, they were referred to Magadh Medical College.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to family feud and previous enmity. There is case and counter case between the parties who are Gotias. It has further been submitted that injury sustained by sons of informant is simple in nature as is apparent from injury report as enclosed in Annexure 3. Informant has suffered one head injury which is attributable to co-accused Madheshwar Rao. Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, the provisional anticipatory bail granted to the petitioners by order dated 20.11.2019 is hereby confirmed with similar terms.

Sanjay/-

U		T	
---	--	---	--

(S. Kumar, J)

