

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63838 of 2019**

Arising Out of PS. Case No.-106 Year-2019 Thana- LAXMIPUR District-
Jamui

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1. NANDU RAJAK Son of Kalit Rajak Resident of Village - Tetariya, P.S.- Barhat, Dist.- Jamui.
 2. Pappu Rajak Son of Kalit Rajak Resident of Village - Tetariya, P.S.- Barhat, Dist.- Jamui.
 3. Raj Kumar Rajak Son of Kalit Rajak Resident of Village - Tetariya, P.S.- Barhat, Dist.- Jamui.
 4. Kalit Rajak Son of Late Mithu Rajak Resident of Village - Tetariya, P.S.- Barhat, Dist.- Jamui.
 5. Tuntun Rajak Son of Chando Rajak Resident of Village - Gotajar, P.S.- Laxmipur, Dist.- Jamui.
 6. Rajendra Rajak Son of Bhunehswar Rajak Resident of Village - Gotajar, P.S.- Laxmipur, Dist.- Jamui.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar Sinha, Advocate.
For the Opposite Party: Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-10-2019 Learned counsel for the petitioner states that the petitioner no. 6 has been arrested and as such the anticipatory bail petition has become infructuous and seeks permission to withdraw the same.

2. Permission is accorded. The anticipatory bail petition of petitioner no. 6 stands dismissed as withdrawn.

3. Heard learned counsel for the petitioners (except petitioner no. 6) and learned APP for the State.

4. The petitioners (except petitioner no. 6) apprehend their arrest for the offences alleged under Sections 147, 149, 323,



448, 307, 337, 338 and 504 of the Indian Penal Code registered in connection with Laxmipur P.S. Case No. 106 of 2019.

5. It is submitted that the petitioners (except petitioner no. 6) have been falsely implicated and the accusations of assault are general and omnibus in nature except against petitioner no. 1 who is said to have assaulted the informant on his head with iron rod. Petitioner no. 1 is accused in one prior case while the other petitioners claim clean antecedents.

6. Learned APP invites reference to the injury report which discloses that the informant has sustained grievous injury on his head along with other simple injuries and there is pain in his writ, knee and entire body. It is further submitted that all the accused persons have participated in the offence. Petitioner no. 2 Pappu Rajak and petitioner no.3 Raj Kumar Rajak are said to have caught hold the informant during the assault.

7. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners (except petitioner no. 6). The petition stands dismissed.

8. If the petitioners (except petitioner no. 6) surrender and seek regular bail before the learned Court below the same shall be considered on its own merit in accordance with law, without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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