

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66413 of 2019**

Arising Out of PS. Case No.-388 Year-2018 Thana- GHORASAHAN District-
East Champaran

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1. MUNNA KUMAR RAI Son of Binod Ram Resident of Village - Ghorasahan, P.S.- Ghorasahan, Distt.- East Champaran.
 2. Sanjay Rai Son of Binod Ram Resident of Village - Ghorasahan, P.S.- Ghorasahan, Distt.- East Champaran.
 3. Sunil Rai Son of Binod Ram Resident of Village - Ghorasahan, P.S.- Ghorasahan, Distt.- East Champaran.
 4. Janu Rai Son of Ramchandra Rai Resident of Village - Ghorasahan, P.S.- Ghorasahan, Distt.- East Champaran.
 5. Nanhak Rai Son of Late Ramchandra Rai Resident of Village - Ghorasahan, P.S.- Ghorasahan, Distt.- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Dilip Kumar Tondon, Advocate.
For the Opposite Party: Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 447, 323, 324, 325, 307, 380, 504, 506 of the Indian Penal Code registered in connection with Ghorasahan P.S. Case No. 388 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute as evident from the order of the S.D.O., Sikarahna dated 27.05.2017 in a Case No. 457 of 2017 under Section 144 Cr. P.C. The informant is none other than the full brother of petitioner nos. 4 and 5 and the cousin of petitioner nos. 1, 2 and 3. The F.I.R. has been lodged in



retaliation to the earlier F.I.R. lodged by the petitioner no. 2 (Annexure-2). Both sides have sustained injuries and in any event the injuries of the informant and his wife are simple in nature except one injury sustained by the informant.

4. Learned APP submits that there is direct accusation of assault by the petitioners upon the informant and his wife which has resulted various injuries to them. It is stated that the informant has suffered grievous injury on his nose which is a vital part of the body and continued bleeding from nostril and danger life.

5. Having regard to the nature of accusations, gravity of the offence alleged as well as the grievous injury sustained by the informant, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The petition stands dismissed.

6. If the petitioners 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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