

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17417 of 2020**

1. Soni Devi wife of Bobi Singh @ Om Prakash Singh
2. Bobi Singh @ Om Prakash Singh son of Late Gajendra Singh @ Gajendra Prasad Singh
Both R/o village- Rampur, Ward No. 12, P.S.- Singheshwar District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 22-07-2020 At the outset, learned counsel for the petitioners seeks permission to withdraw this application as regards petitioner no. 1 (Soni Devi).

Permission is granted.

This application is dismissed as withdrawn as regards petitioner no. 1.

Now this application survives only with respect to petitioner no. 2.

Heard learned counsel for the petitioner and Mr. Syed Mojibur Rahman, learned APP for the State.

Petitioner no. 2 in the present case is seeking pre-arrest bail in connection with Singheshwar P.S. Case No. 233 of



2019 registered for the offences punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner no. 2 and the informant are full brother and the scuffle seems to have taken place on account of some land dispute. It is submitted that although there is specific allegation of assault against the petitioner no. 2 by a *dabia* on the head of the informant causing grievous injury, however, the facts of the case would reveal that that there had been some delay in lodging of the First Information Report and that fact may be taken into consideration.

On the other hand, learned APP for the State has opposed the prayer for pre-arrest bail of the petitioner. It is submitted that there being a specific allegation against the petitioner of causing assault by a deadly weapon which has caused grievous injury on the head of the informant, considering the gravity of the offence alleged and the kind of materials available on the record custodial interrogation of the petitioner would be required.

Having regard to the facts and circumstances of the case wherein this Court finds that there is specific allegation of



causing assault by a deadly weapon against the petitioner no. 2 which has caused grievous injury on the head of the informant, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no. 2. His prayer is thus, refused.

The application stands dismissed.

In case petitioner no. 2 surrenders and prays for regular bail in the court below within four weeks from today his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

