

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24161 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- PATEPUR District- Vaishali

1. Sanjeev Rai @ Sanjeev Ray, aged about 58 years, Male, Son of Late Chandeshwar Ray
2. Akhilesh Rai @ Akhilesh Ray aged about 44 years, Male, Son of Late Ramjee Ray
3. Shyam Rai @ Shyam Ray, aged about 44 years, Male, Son of Sitaram Ray
4. Ram Pravesh Rai @ Ranpravesh Ray, aged about 23 years, Male, Son of Sita Ram Ray, all resident of Village- Saidpur Dumra, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-11-2020 Since the petitioner no.2 has been arrested, learned counsel for the petitioners seeks permission to withdraw this application.

Permission is granted.

Accordingly, this application is dismissed as withdrawn against petitioner no.2, namely, Akhilesh Rai @ Akhilesh Ray in connection with Patepur P.S. Case No.71 of 2020 pending in the court of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur.



Heard the parties through the virtual court proceeding.

The petitioners apprehend their arrest in connection with Patepur P.S. Case No. 71 of 2020 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 354, 506/34 of the Indian Penal Code.

From perusal of the case record, it is evident that there is an allegation against the petitioners that having armed with lethal weapons came at the door of informant and with intention to kill to the informant's husband they gave farsa blow on the head of informant's husband due to which he sustained grievous injury on his head.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence and have been falsely implicated in this case due to previous enmity and grudge and this is a case and counter case. It has been further submitted that injury caused by petitioners to the husband of informant is not specific in nature.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

I have perused the record including the case diary. The injury of the husband of the informant is grievous in nature and other witnesses have supported the prosecution story.



In the facts and circumstances of the case, I am not inclined to enlarge the petitioners no.1, 3 and 4 above named on bail. Accordingly, the prayer for anticipatory bail of the petitioners no.1, 3 and 4 in connection with Patepur P.S. Case No.71 of 2020 pending in the court of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur is hereby rejected. However, the petitioners no.1, 3 and 4 above named are directed to surrender before the court below and the learned court below shall pass the order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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