

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30434 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- PIPRIYA District- Lakhisarai

1. TUNTUN SINGH S/o Late Ram Khelawan Singh
2. Karamdev Singh S/o Late Ram Khelawan Singh
3. Dilkhush Kumar S/o Shri Tuntun Singh
4. Raushan Singh S/o Shri Karamdev Singh
5. Dhiraj Singh S/o Shri Mantu Singh
6. Fultus Kumar S/o Shri Shyamdev Singh
7. Rajnish Kumar Sharma S/o Shri Vijay Singh
8. Mantu Singh S/o Late Ram Khelawan Singh
9. Vijay Singh S/o Late Ram Khelawan Singh
10. Shyamdev Singh S/o Late Ram Khelawan Singh
All residents of Village-Kanharpuri, P.S-Piparia, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Malay Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Piparia P.S.
Case No.15 of 2020 registered under Sections 147, 148, 149,
341, 323, 325, 327, 379 and 307 of the Indian Penal Code.

The informant alleged that while he was sitting near
bonfire, all the accused persons having armed with different
weapons such as stick, iron rod, khanti, garasa, rife and country
made pistol came and assaulted the informant. When the



informant tried to save himself, he caused fracture injury on his legs and hand. The wife of the informant came to rescue the informant but Dilkhush slapped her and snatched chain made of gold. Thereafter, the accused persons fled away.

The learned counsel for the petitioners submits that omnibus and general allegation of assault are made. The son of the informant kidnapped the daughter of petitioner No.1 for which Piparia P.S. Case No.11 of 2020 was registered. Petitioners are gotia(descendants of common ancestor) and there is a land dispute among the two sides but it appears from perusal of the records and the order of the learned Sessions Judge that the petitioners have got criminal antecedent and the informant got different injuries on his body. The doctor opined the injuries to be grievous in nature.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners and the fact that petitioners have got criminal antecedent, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners, if so advised, may surrender in the court below and pray for regular bail, learned court below shall consider the prayer for regular bail of the petitioners on its own



merit without being prejudiced by the order of this court and considering the fact that one of the co-accused has already been granted regular bail by the court below.

(Prabhat Kumar Jha, J)

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