

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83074 of 2019

Arising Out of PS Case No.-186 Year-2018 Thana- SIKANDRA District- Jamui

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1. Nilesh Yadav @ Nilesh Kumar aged about 18 years (Male), Son of Harbansh Yadav, Resident of Village - Dharsanda, P.S.- Sikandara, District - Jamui.
 2. Bablesh Kumar @ Bablesh Yadav, aged about 20 years (Male), Son of Ram Bilash Yadav, Resident of Village - Dharsanda, P.S.- Sikandara, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the State	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 07-01-2020

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Sikandra PS Case No. 186 of 2018 dated 15.08.2018 instituted
under Sections 147, 148, 341, 323, 307, 325, 379/504 of the Indian
Penal Code.

3. The allegation against the petitioners and others is of
assault on the informant and his two sons.

4. Learned counsel for the petitioners submitted that
there is case and counter case also and the incident was the result
of some minor scuffle, which occurred between the parties who
participated in a school function. Learned counsel submitted that
as per the allegation, there is nothing specific with regard to the



blows inflicted by the petitioners on the injured. It was further submitted that the allegations are not worthy for the reason that there is allegation of further assault in the hospital, which cannot be possible as there was police presence in the hospital. It was submitted that the petitioner no. 2 is also not named in the FIR and only during investigation, he has been implicated.

5. Learned APP submitted that the petitioners not only assaulted the victim at the first instance but also assaulted them in the hospital where it was not only the younger son of the victim who was assaulted but also the informant and his elder son and further that such assault has resulted in fracture of right leg of the elder son of the informant.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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