

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83337 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- SIMRA District- Aurangabad

1. SUDESH SINGH Son of Late Ugrah Singh Resident of Village - Berawn, P.S.- Simra, District - Aurangabad.
2. Anuj Singh Son of Krishna Singh Resident of Village - Parsawan, P.S.- Simra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Simra P.S. Case No. 41 of 2019 for the offence registered under Sections 341, 323, 324, 325, 326, 308, 379 and 34 of the Indian Penal Code.

The allegation is that the accused persons including the petitioners herein, after reaching the house of the informant had started abusing the informant and upon being objected by the informant, the accused persons are said to have assaulted the informant with *Bhala*, *Garasa* and sword causing serious injuries on his head and leg and then gun shot firing was also



made which had hit the informant apart from the accused persons assaulting the younger brother of the informant.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case. It is submitted that the petitioner no. 1 is an accused in three other cases but he is on bail in the said three cases while the petitioner no. 2 is an accused in one other case and he is also on bail in the said case. Lastly, it is submitted that a general and omnibus allegation has been levelled against the petitioners, hence they be admitted to the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioners, this Court is of the view that there is serious allegation against the accused persons including the petitioners of having assaulted the informant and the younger brother of the informant, which is corroborated from the finding recorded by the learned Sessions Judge, Aurangabad in the impugned order dated 23.11.2019 wherein it has been stated that the injuries recorded by the doctor in the injury report has been stated to be grievous in nature, hence this Court finds that the accusation is serious, thus considering the gravity of the offence



committed by the petitioners and considering the fact that the petitioners are having bad antecedent, this Court does not find that the present case to be a fit case at least for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

