

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31579 of 2020

Arising Out of PS. Case No.-60 Year-2020 Thana- KHUTAUNA District- Madhubani

1. RAJA SINGH @ RAJESH KUMAR SINGH S/o Bipin Singh Resident of Village-Hanuman Nagar, P.S.-Khutauna, District-Madhubani.
2. Ram Nath Singh S/o Chandradeo Singh Resident of Village-Hanuman Nagar, P.S.-Khutauna, District-Madhubani.
3. Sahendra Singh @ Sahindra Singh S/o Beer Chandra Singh Resident of Village-Hanuman Nagar, P.S.-Khutauna, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Baleshwar Kamat, Advocate
For the State	:	Mr.Manish Kumar No. 13, A.P.P.
For the Informant	:	Mr. Jitendra Kumar Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-03-2021 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Khutauna P.S. Case no. 60 of 2020 registered for the offence under sections 307, 341, 323, 379, 504, 325 and 34 of the Indian Penal Code.

As per allegation in the first information report, six named accused persons including the three petitioners herein, are stated to have assaulted the father of the informant as also



the informant.

It is submitted by learned counsel for the petitioners that the application for petitioner no. 3 was withdrawn on earlier occasion because of his arrest. So far as petitioner nos. 1 and 2 are concerned, the allegations are general and omnibus in nature. From perusal of the injury reports of the informant as also his father, the injuries were found to be simple in nature. There is admitted land dispute between the parties and the petitioners have no criminal antecedents.

The application for anticipatory bail is opposed by learned Additional Public Prosecutor for the State and learned counsel for the informant.

The case diary called for in the case has been received.

Having heard learned counsel for the parties and on going through the records of the case, it transpires that the nature of injury on the body of the father of the informant has been found to be grievous in nature by the Ruban Memorial Hospital Ratan Stone Clinic, Patna, which is brought on record in the case diary. In response to this, it is submitted by learned counsel for the petitioners that the first injury report of the father of informant was found to be simple in nature and this is



a managed injury report from a private clinic.

Having heard learned counsel for the parties and taking into consideration, the nature of allegation and the injury of the father of the informant having been found to be grievous, the Court is not inclined to enlarge the petitioners on anticipatory bail and as such the application for anticipatory bail of the petitioner nos. 1 and 2 are rejected.

(Partha Sarthy, J)

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