

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38191 of 2020

Arising Out of PS. Case No.-347 Year-2020 Thana- NARPATGANJ District- Araria

1. Mahesh Yadav Son Of Chavilal Yadav Resident Of Village - Pangerkatta, P.S. - Narpatganj, District - Araria
2. Sakaldeo Yadav @ Sawaldeo Yadav Son Of Late Sukdeo Yadav Resident Of Village - Pangerkatta, P.S. - Narpatganj, District - Araria

... .. Petitioner/s

Versus

THE STAE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 Heard learned counsel for the petitioners and learned APP
for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in connection with Narpatganj P.S. case No.347 of 2020 registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354(B), 379 and 504 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Araria.

Allegation is that the petitioners assaulted the husband of the informant by mean of farsa, due to which he sustained grievous injury on his head and other accused persons also assaulted him with



iron rod and lathi.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The allegation of assault is denied by the petitioners. Due to petty reason, scuffle had taken place between the parties. Out of three injuries, two injuries are said to be simple in nature. At best, it is a case for an offence under Section 325 of I.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. There is specific allegation of assault against the petitioners. One of the injury caused by the petitioners is said to be grievous in nature.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

If the petitioners surrender before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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