

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38541 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- BELSAND District- Sitamarhi

1. SHIV KUMAR SINGH @ PAPPU SINGH @ SHIB KUMAR SINGH SON OF DEVENDRA SINGH RESIDENT OF VILLAGE MAHATHHI ALIAS CHANDAULI, WARD NO.2, P.S. BELSAND, DISTRICT SITAMARHI
2. SACHIN KUMAR @ SACHIN KUMAR SINGH SON OF SHIV KUMAR SINGH ALIAS PAPPU SINGH @ SHIB KUMAR SINGH RESIDENT OF VILLAGE MAHATHHI CHANDAULI, WARD NO.2, P.S. BELSAND, DISTRICT SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 07-12-2021 Heard the parties.

The petitioners apprehend their arrest in a case in connection with Belsand P.S. Case No.53 of 2020, corresponding to G.R. No.1708/2020, registered for the offence punishable under Sections 341, 323, 325, 307, 385, 379, 504/34 of the Indian Penal Code.

The allegation against the petitioners is of demand of 'rangdari' from the informant and on refusal, they have assaulted him with iron rod leading to injury on head, as a result of which the informant became unconscious. It is alleged that the petitioner no.1 hit on his face with a brick and



took away Rs.2100 from his pocket.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged ever took place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Both sides are agnates and there is case and counter case between the parties. In the said occurrence, both the sides have sustained injuries. It is further submitted that no case under section 307 IPC is made out against the petitioners as both sides are agnates and there is no motive behind this act of the petitioners. It is submitted that petitioner no.2 is a student and studies in college and has no reason to participate in any such offence. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that there is specific overt act against the petitioners and injury report supports the prosecution case.

Considering the rival submissions of the parties and the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners named above. Prayer for grant of anticipatory bail to the petitioners



is hereby rejected.

Accordingly, the instant anticipatory bail application is
dismissed.

(Anjani Kumar Sharan, J)

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