

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39525 of 2020

**Arising out of P.S. Case No. 32, year- 2020, Thana- Semra District West
Champran**

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1. Feku Ram, about 34 y/M,
 2. Govind Ram, about 32 Y/M,
 3. Rajan Ram, about 29 Y/M,

All sons of Sri Nathuni Ram and all residents of village Singadi, P.O.
Tandwaliya, P.S. Semra, District West Champran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.

For the Opp. Party/s : Mr. Dasarath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 02-06-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the Parties.

The petitioners apprehend their arrest in connection with Semra P.S. Case No. 32 of 2020 for the offence punishable under sections 341, 323, 325, 307, 504, 506/34 and section 302 of the Indian F



The allegation is regarding the petitioners having abused and assaulted the uncle of the informant on account of previous dispute, by *lathi* (sticks) and *Danda* and when the elder brother and father of the informant came to save his uncle, the co-accused person namely Nathuni Ram had given a farsa blow on the head of the uncle of the informant, resulting in him sustaining head injuries. It is further alleged that on account of grievous injuries being sustained by the uncle of the informant, he succumbed to his injury at the hospital.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. It is further submitted that the present case is an outcome of case and counter case. It is also submitted that as far as the petitioners are concerned, a superficial sort of allegation has been levelled and the main allegation of assault is on the main accused namely Nathuni Ram, hence, the petitioners deserve to be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State, Shri Dasarath Mehta has vehemently opposed the prayer of the petitioner for grant of anticipatory bail.

Have

the facts and circumstances of the



case, considering the submissions made by the Ld. Counsel for the parties and taking into account the materials available on record, this Court finds that the complicity of the petitioners is writ large from the record, which also stands substantiated by the findings recorded by the learned Sessions Judge in the impugned order dated 01.10.2020 apart from the fact that the petitioners are alleged to have actively participated in the conspiracy to assault the Uncle of the informant, resulting in him sustaining grievous injuries, resulting in his subsequent death, hence I do not find the present case to be a fit case for grant of anticipatory bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

Tiwary/-

