

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6054 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- FATEHPUR District- Gaya

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1. TRIPURARI KUMAR S/O PRAMOD SINGH R/O VILLAGE-DHANGAON, P.S.-FATEHPUR AND DISTRICT-GAYA (BIHAR).
 2. SHIVPURARI KUMAR S/O PRAMOD SINGH R/O VILLAGE-DHANGAON, P.S.-FATEHPUR AND DISTRICT-GAYA (BIHAR).
 3. PRAMOD SINGH S/O LATE LAL NARAYAN SINGH R/O VILLAGE-DHANGAON, P.S.-FATEHPUR AND DISTRICT-GAYA (BIHAR).

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Fatehpur P.S. case No.135 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 302, 379, 427 & 120B of the Indian Penal Code pending in the Court of learned



Additional Chief Judicial Magistrate-X, Gaya.

While the informant was giving feed to the cattle, all the six named accused including these petitioners are said to have come there along with lathi, bhala and other weapons. Co-accused Ravinandan Kumar @ Ravi and Shashi Bhushan Kumar assaulted his mother by lathi and bhala, sustaining injury she fell down and was taken to the hospital where the doctor declared her dead. When the informant along with other persons had gone to hospital, the accused persons entered into his house and assaulted his wife and sister.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case with an oblique motive. As a matter of fact, the mother of the informant fell down from the roof in which she received two injuries on head and taking benefit of these injuries this present first information report has been instituted. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not



deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Anjani Kumar Sharan, J)

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