

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7881 of 2021

Arising Out of PS. Case No.-188 Year-2020 Thana- MAJHAULIA District- West Champaran

1. RAVI SHANKAR YADAV S/o Suresh Yadav Resident of Village- Kutiya Indu, P.S.- Majhauria, District- West Champaran.
2. Shivam Kumar S/o Anirudh Rai Resident of Vill.- Bhangaha Tola Lohiyariya, P.S.- Kumarbagh O.P., Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard the parties.

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

The petitioners apprehend their arrest in a case in connection with Majhauria P.S. Case No.188 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379 of the Indian Penal Code.

The prosecution case in short is that on the alleged date, the informant along with his brother and sons had done



irrigation work in the field due to which some water accumulated on the way. Thereafter, all the FIR named accused persons including the petitioners variously armed with deadly weapons formed an unlawful assembly, came there and started abusing and attacked upon the informant's side. The informant's side was assaulted by the accused persons by means of farsa, sword, Dab. Thereafter, on alarm, people gathered there and brought the injured to hospital for treatment.

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 as alleged ever took place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner no.1. They have no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that these petitioner along with other accused persons were involved in the alleged occurrence. There is specific allegation of assault against the petitioners. Five persons have sustained injuries, out of which two persons have sustained injury over the vital part of the body.



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

The instant anticipatory bail application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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