

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11954 of 2021**

Arising Out of PS. Case No.-54 Year-2020 Thana- BASOPATTI District- Madhubani

1. PANKAJ SINGH @ PANKAJ KUMAR SINGH S/O RAM NARESH SINGH RESIDENT OF VILLAGE - MADHIYA, P. S. - BASOPATTI , DISTRICT - MADHUBANI.
2. Deepak Singh @ Deepak Kumar Singh S/O Ram Naresh Singh RESIDENT OF VILLAGE - MADHIYA, P. S. - BASOPATTI , DISTRICT - MADHUBANI.
3. Ajeet Singh S/O Indradeo Singh RESIDENT OF VILLAGE - MADHIYA, P. S. - BASOPATTI , DISTRICT - MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Dilip Kumar No.1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 30-11-2021 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.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application as against the petitioner no.1 as he has already been arrested by the police during pendency of this application.

Permission is granted.

The prayer for anticipatory bail made through the instant



application, on behalf of the petitioner no.1 is dismissed as infructuous.

Now, the present application is being heard on the prayer for anticipatory bail on behalf of the petitioner nos.2 and 3.

The petitioners apprehend their arrest in a case in connection with Basopatti P.S. Case No.54 of 2020, corresponding to C.R.I. Case No.422 of 2020, registered for the offence punishable under Sections 448, 341, 323, 324, 307, 379, 354(B), 427, 506 and 34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other accused persons went into the shop of the informant, armed variously and assaulted the informant and his family members due to which they sustained several injuries. It is alleged that they also snatched Rs.50,000/- and ornaments.

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 due to local village politics. 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 a case and counter-case between the parties. A free fight has taken place in which both sides have sustained injuries. The injury report of



the informant shows that he has sustained simple injuries.
Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that this is not a fit case for anticipatory bail and there is specific allegation against the accused persons.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner nos.2 and 3.

Accordingly, the instant anticipatory bail application is dismissed.

However, the petitioner nos.2 and 3 are directed to surrender before the learned court below within a period of four weeks and the learned court below is directed to consider and dispose of the case of the petitioners, on the same date, in accordance with the merits of the case without being prejudiced by the dismissal of the present application.

(Anjani Kumar Sharan, J)

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