

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73992 of 2019

Arising Out of PS. Case No.-342 Year-2019 Thana- HILSA District- Nalanda

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1. Surendra Prasad, Son of Abhi Charan Prasad, Resident of Gulani, P.S. Hilsa, District Nalanda.
 2. Devanti Devi @ Demanti Devi, Wife of Surendra Prasad, Resident of Gulani, P.S. Hilsa, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Tilak Sao, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Shyamal Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-12-2021 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant.

Petitioners apprehend their arrest in Hilsa P.S. Case No.342 of 2019, registered for the offences punishable under Sections 323, 341, 447, 307, 504, 379, 506 and 34 of the Indian Penal Code.

The allegation against petitioner no.1 is that he assaulted the informant with lathi on his right hand, left leg and head. When brothers of the informant came to save the informant, petitioner no.2 assaulted the brothers of the informant with *farsa* on their head.

Learned counsel for the petitioners submits that



petitioner are innocent and have falsely been implicated in the present case. It is further submitted that both sides are *Gotiyas* and there is land dispute between the parties. It is also submitted that the petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners and submitted that there is specific allegation against the petitioners and the injury report also supports the prosecution case.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioners is rejected.

However, the petitioners is directed to surrender before the learned court below within a period of four weeks from today and the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced from the order of this Court.

(Anjani Kumar Sharan, J.)

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