

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15944 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- WAJIRGANJ District- Gaya

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1. Gauri Shankar @ Gauri Shankar Prasad Son of Late Chamari Mahto Resident of Village- Amaithi, P.S.- Wazirganj, District- Gaya.
 2. Sanjay Prasad @ Sanjay Kumar Son of Late Chamari Mahto Resident of Village- Amaithi, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gajendra Kumar Singh, Adv.
For the State	:	Mr. Jitendra Kr. Singh, APP
For the Informant	:	Mr. Shailesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2022 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State through the virtual court proceeding.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 448, 324 and 380 of the Indian Penal Code.

When the informant was unloading soil in the field at that time petitioners came there and started abusing. It is also alleged that they entered into his house and Gauri Shankar



(Petitioner no. 1) assaulted by iron rod upon his head as a result of which he received injury and when his son came for rescue then Sanjay Kumar (petitioner no. 2) assaulted by rod.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both side sustained injury. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and informant oppose the prayer for bail and submit that there is direct allegation against the petitioners that they have caused head injury with dangerous weapons to the informant. C.T. Scan of brain of the informant show focal linear fracture of left temporal bone in its inter-basal part and nature of injury was opined grievous.

Considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with Wazirganj P.S. Case No. 240 of 2020.

(Anjani Kumar Sharan, J)

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