

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6950 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- RAGHOPUR District- Vaishali

1. Baijnath Rai @ Baidhnath Rai Son of Sri Nokha Rai Resident of Village - Sri Rampur, P.S. - Rampur, District - Vaishali.
2. Ranjay Rai Son of Sri Nokha Rai Resident of Village - Sri Rampur, P.S. - Rampur, District - Vaishali.
3. Uday Rai Son of Sri Nokha Rai Resident of Village - Sri Rampur, P.S. - Rampur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Shankar Prasad, Adv.
For the Opposite Party	:	Mr. Pramod Kumar, Adv.
For the State	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-01-2022 Heard learned counsel for the petitioners, opposite party no. 2 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 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code.

All the accused persons named in the FIR including the petitioners armed with lathi, danda and other weapons assaulted and abused the informant, as a result of which he was fainted.

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 general and omnibus allegation levelled against the petitioners and the injury found upon the informant is simple in nature. He submits that there is case and counter case between the parties. He further submits that petitioner no. 1 has one criminal antecedent and petitioner nos. 2 and 3 have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and opposite party no. 2 oppose the prayer for bail and submit that process under Sections 82 and 83 has been issued by the learned court below.

From perusal of report of the S.P. Vaishali, it appears that petitioner no. 1 has four criminal antecedent whereas petitioner no. 2 has one criminal antecedent.

Considering the facts and circumstances of the case and the fact that petitioners has suppressed the criminal antecedent, I am not inclined to enlarge the petitioners of bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Raghopur P.S. Case No. 108 of 2019.

(Anjani Kumar Sharan, J)

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