

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11640 of 2022

Arising Out of PS. Case No.-272 Year-2021 Thana- KASBA District- Purnia

1. MD RAKIM Son of Late Ramzan Ali Resident of Village - Khorbadi, P.s.- Kasba, Distt.- Purnea.
2. MD. SAMSHAD @ SHAMSAD ALAM Son of Late Ramzan Ali Resident of Village - Khorbadi, P.s.- Kasba, Distt.- Purnea.
3. MD. INAMUL HAQUE @ MD. INAMUL Son of Master Mannan Resident of Village - Khorbadi, P.s.- Kasba, Distt.- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 307, 324, 323, 341, 504, 147, 148 and 149 of the Indian Penal Code registered in connection with Kasba P.S. Case No. 272 of 2021.

As per allegation, when the informant and his nephew Kamelul Islam were going to polling centre as Panchayat



election was going on, in the way, the accused persons including the petitioners, who were already in ambush, attacked them. Petitioner nos. 1 and 2 assaulted with iron *dabia* and petitioner no.3 and co-accused Md. Firoz assaulted them with lathi. His nephew Kamelul Islam suffered injury on his head and was badly injured. Md. Mukhtar also sustained injury.

The learned counsel for the petitioners has submitted that there is election rivalry between the parties and it was the reason for false implication of the petitioner. It is further submitted that the injured Kamelul Islam has suffered road accident injury and has made false allegation against the petitioners.

There is specific allegation against the petitioners that they assaulted the informant and his nephew Kamelul Islam, who suffered grievous injuries on occipital region of his head and the injuries were found to be grievous in nature. The witnesses in paragraph nos. 4, 7, 8 and 9 have supported the occurrence.

In my view, it is not a fit case for anticipatory bail. The prayer for anticipatory bail on behalf of the petitioners is hereby rejected.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time as provided hereinabove,
failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

HR/-

U		T	
---	--	---	--

