

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14595 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- BIBHUTIPUR District- Samastipur

1. RAM RATAN DAS @ RAM RATAN TANTI S/o Late Lakhan Das @ Late Ram Lakhan Das @ Late Ram Lakhan Tanti Resident of Village - Rupauli Khurd, P.S. - Bibhutipur, District - Samastipur.
2. Ram Sakhi Devi W/o Ram Ratan Das @ Ram Ratan Tanti Resident of Village - Rupauli Khurd, P.S. - Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Suneil Kumar Thakur, Adv.
For the Opposite Party/s :	Mr.Vinod Shanker Modi, APP
	Mr.Sachchidanand Choudhary, Adv.
	Mr.Lovekush Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.1, as he has already been arrested.

Permission is granted.



Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no.1 is dismissed as withdrawn.

Now, the present application is being heard for consideration of bail on behalf of the petitioner no.2 only.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 435, 504, 506, 307, 447, 427, 354 of the Indian Penal Code and section 27 of the Arms Act.

Allegedly, all the FIR named accused persons including the petitioner armed variously came on the land of informant, hurling abuses and on objection, they assaulted the informant's side. It is further alleged that one of the accused poured petrol over the head of one Lalit Kumar Singh and petitioner no.2 threw burning stick of matches over the same, which resulted in burning injury. They also put some vehicles on fire.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is general and omnibus allegation against the petitioner. It is submitted that there is an admitted land dispute between the parties. For the



alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that there is specific overt act against the petitioner of throwing burning stick on the head of Lalit Kumar, due to which he sustained severe burn injuries.

Having regard to the facts and circumstances of the case, since there is specific allegation against the petitioner no.2, I am not inclined to grant him the privilege of anticipatory bail. The prayer for grant of bail on his behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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