

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16968 of 2022

Arising Out of PS. Case No.-487 Year-2021 Thana- GARKHA District- Saran

1. KRISHNA RAI S/o Late Dukhit Rai Resident of Village- Parsa, P.S.- Garkha, Distt- Chhapra at Saran.
2. SANJAY RAI S/o Awadhesh Rai Resident of Village- Parsa, P.S.- Garkha, Distt- Chhapra at Saran.
3. NIRAJ RAI S/o Awadhesh Rai Resident of Village- Parsa, P.S.- Garkha, Distt- Chhapra at Saran.
4. GUDDU RAI S/o Awadhesh Rai Resident of Village- Parsa, P.S.- Garkha, Distt- Chhapra at Saran.
5. AKHILESH RAI S/o Awadhesh Rai Resident of Village- Parsa, P.S.- Garkha, Distt- Chhapra at Saran.
6. VIKASH RAI S/o Krishna Rai Resident of Village- Parsa, P.S.- Garkha, Distt- Chhapra at Saran.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Pandey
For the Opposite Party/s	:	Mr. Choubey Jawahar
For the Informant	:	Mr. Ranjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2022 At the very out set, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.3, submitting that during pendency of this application petitioner no.3 has been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner no.3 only.

Now, this application survives for petitioner nos.1, 2



and 4 to 6.

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

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

The petitioners apprehend their arrest in Garkha P.S. case No. 487 of 2021 registered for the offences punishable under Sections 341, 323, 324, 325, 354B, 379, 307, 506 & 504/34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant and others and they also committed the other offences in the manner as mentioned in the F.I.R.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties.

Per contra, learned APP for the State assisted by



learned counsel for the informant vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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