

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33820 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- AGIAON BAZAR District- Bhojpur

1. RAJESH SINGH @ RAJESH KUMAR SINGH @ RENGU SINGH Son of Baban Singh Resident of Village - Doman Dihari, P.S.- Agianon Bazar, Distt.- Bhojpur.
2. Baban Singh Son of Late Dindayal Singh Resident of Village - Doman Dihari, P.S.- Agianon Bazar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-02-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in connection with Agaion Bazaar P.S. case No.57/20 registered under Sections 341, 323, 308, 325, 504, 506/34 of the Indian Penal Code, pending in the court of A.C.J.M. VIII, Bhojpur at Ara.

Prosecution case, in short, is that the petitioner No.1 assaulted the mother of the informant by means of iron rod, as a



result of which she fell down and became unconscious. On hearing noise, the informant and his father came and then the petitioners also assaulted them by means of iron rod, due to which they sustained injuries on their head and the victims were taken to the Hospital for treatment.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case has been instituted after four days of the alleged occurrence. The delay has not been explained by the prosecution. There is general and omnibus allegation against the petitioner Nos.1 and 2 of assaulting the informant and his father.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. The petitioner No.1 is alleged to have assaulted the mother of the informant and one of the injury of the mother of the informant has been kept reserved. So far the informant is concerned, petitioner Nos.1 and 2 are alleged to have assaulted the informant and the nature of injury is said to be grievous.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The



same is rejected.

If the petitioners surrender before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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