

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35026 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- SAHPUR District- Bhojpur

1. JIUT MALLAH Son of Ghurfekan Mallah @ Ghurbigan Mallah Resident of Village - Ramdatahi, Police Station - Shahpur in the district of Bhojpur.
2. Pintu Mallah Son of Ghurfekan Mallah @ Ghurbigan Mallah Resident of Village - Ramdatahi, Police Station - Shahpur in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Akbar Ali

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

ORAL ORDER

4 07-04-2022 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 APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 325, 354, 308, 379, 504 and 506/34 of the Indian Penal Code, registered in connection with Shahpur P.S.Case No. 287 of 2020.

As per allegation, the petitioners came to the house of the informant Totan Chaudhary. They abused and threatened him that they would hinder the marriage of his daughter. They also floated false rumours in the locality about his daughter. Due to this, some altercation took place and both the petitioners badly assaulted the informant with *lathi*, *danda* etc. They also assaulted the daughter, wife and son of the informant.

The learned counsel for the petitioners has submitted that they are innocent. There is case and counter case and the injury on the person of the informant although grievous in nature, but it is not on the vital part of the body, rather it is on



the head.

The learned APP has opposed the prayer for anticipatory bail.

The accused persons, as per the allegation, badly assaulted the informant and his family members. The injuries mentioned in paragraph 24 of the case diary show that five persons are injured and the informant has sustained fracture injury, which is grievous in nature.

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)

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