

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29068 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- RAJAOLI District- Nawada

1. SUBODH PRASAD SON OF RAMSHARAN PRASAD RESIDENT OF VILLAGE PAWACHAK , P.S- RAJAULI, DIST- NAWADA
2. SANTU PRASAD SON OF RAMSHARAN PRASAD RESIDENT OF VILLAGE PAWACHAK , P.S- RAJAULI, DIST- NAWADA
3. RAJESH PRASAD SON OF RAMSHARAN PRASAD RESIDENT OF VILLAGE PAWACHAK , P.S- RAJAULI, DIST- NAWADA
4. RAMSHARAN PRASAD SON OF PHODI PRASAD RESIDENT OF VILLAGE PAWACHAK , P.S- RAJAULI, DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2022 The petition in respect of petitioner no. 4 (Ramsharan Prasad) has already been dismissed as withdrawn, vide order dated 12.07.2022.

Heard learned counsel for the parties.

The petitioners (i.e. petitioners no. 1 to 3) apprehend their arrest in a case registered for the offence under Sections 341, 323, 325, 354, 379, 448, 504, 506 and 34 of the IPC.

Allegation against petitioners is that they assaulted the family members by means of iron *Tangi* and *lathi*, due to which, they sustained injury.



It is submitted on behalf of petitioners that due to land dispute, petitioners have been falsely implicated in this case. Petitioners and informant are own *Gotiya*. There is case and counter case. As per injury report, the injured persons were examined on 25.01.2022, whereas alleged occurrence took place on 20.01.2022 and as such, the injury report of the injured persons cannot be believed.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against these petitioners of assaulting informant and her family members. As per injury report, the injuries sustained by Rajendra Prasad (*Devar* of informant) and Sunita Devi (daughter-in-law of informant) have been reported to be dangerous to life.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioners and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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