

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32268 of 2022

Arising Out of PS. Case No.-311 Year-2020 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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1. VIKASH KUMAR SON OF RAM PRAVESH RAM R/O VILLAGE-
GANGAUR, P.S.- KORMA, DISTRICT- SHEIKHPURA
 2. RAJENDRA RAM SON OF MANJHI RAM @ BRAHAMDEV RAM R/O
VILLAGE- GANGAUR, P.S.- KORMA, DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAM LAKHAN RAM SON OF LATE RAMESHWAR RAM R/O
VILLAGE- GANGAUR, P.S.- KORMA, DISTRICT- SHEIKHPURA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed 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.

After some arguments, learned counsel for the petitioner
seeks permission to withdraw this application as against
petitioner no.2.

Prayer is allowed.

This application for grant of anticipatory bail on behalf of



petitioner no.2 is dismissed as withdrawn.

Now, it is being heard for consideration of bail on behalf of petitioner no.1 only.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 307, 323, 325, 448 IPC.

Allegedly, all the F.I.R. named accused persons including the petitioner over a drainage dispute, came armed to the house of complainant and started firing with pistol and rifle. It is alleged that petitioner no.1 assaulted on the head of complainant with the butt of pistol.

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. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that though there is a grievous injury but the same is attributable against accused Rajendra Ram, who assaulted the complainant and his son. It is submitted that both sides are agnates and there is an admitted land dispute between them. For the alleged occurrence, there is a case and counter-case between the parties. Petitioner has no criminal antecedent.



Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific role of petitioner no.1 is causing the grievous injury, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.311(C) of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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