

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44652 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

1. PINTU KUMAR Son of Mahendra Yadav Resident of Village - Ner, P.S.- Makhdumpur, Distt.- Jehanabad.
2. Udit Narayan Son of Upendra Yadav Resident of Village - Ner, P.S.- Makhdumpur, Distt.- Jehanabad.
3. Chintu Kumar Son of Mahendra Yadav Resident of Village - Ner, P.S.- Makhdumpur, Distt.- Jehanabad.
4. Dharam Yadav Son of Suraj Narayan Yadav Resident of Village - Ner, P.S.- Makhdumpur, Distt.- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

Vide order dated 09.06.2022, the prayer for anticipatory bail on behalf of the petitioner no.3 was dismissed as infructuous.



Accordingly, this application is being heard today for consideration of anticipatory bail of petitioner nos.1, 2 and 4.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 504, 506, 509, 34 of the Indian Penal Code.

Allegedly, the F.I.R. named accused persons including the petitioners have indiscriminately assaulted the son of the informant by means of various deadly weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to local politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no eye-witness to the alleged occurrence and on the hearsay witness i.e. mother of the victim/informant, name of petitioners has transpired in this case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the injuries sustained by the victim are grievous in nature.

Having regard to the facts and circumstances of the



case, since the injuries are grievous in nature, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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