

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51355 of 2021

Arising Out of PS. Case No.-302 Year-2021 Thana- BARHARA District- Bhojpur

1. DEELIP RAY S/o RAJ KUMAR RAY R/o VILLAGE-LALA KE TOLA (PANDITPUR), P.S-BARAHARA, DISTRICT-BHOJPUR, ARA.
2. LAGAN RAY S/o LATE SITARAM RAY R/o VILLAGE-LALA KE TOLA (PANDITPUR), P.S-BARAHARA, DISTRICT-BHOJPUR, ARA.
3. SATENDRA RAY S/o FUDENA RAY R/o VILLAGE-LALA KE TOLA (PANDITPUR), P.S-BARAHARA, DISTRICT-BHOJPUR, ARA.
4. NAGARAJEET RAY S/o SHEONATH RAY R/o VILLAGE-LALA KE TOLA (PANDITPUR), P.S-BARAHARA, DISTRICT-BHOJPUR, ARA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-05-2022 Heard the parties through virtual Court proceedings.

At the very outset, learned counsel for the petitioner seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.2, as he has already been arrested.

Permission is granted.

Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no.2 is dismissed as withdrawn.

Now, the present application is being heard for consideration of anticipatory bail as against rest of the



petitioners.

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, office will place the matter before the Bench.

The petitioners apprehend their arrest in connection with Barahara P.S. Case No.302 of 2021, registered for the offence punishable under Sections 341, 323, 325, 307, 379, 34 of the Indian Penal Code.

Allegedly, the petitioners along with other accused persons have assaulted the informant by means of lathi and rod.

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 dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The parties are co-villagers and there is prior enmity between them. There is no specific overt act against the petitioners rather the allegations are general and omnibus in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that eight injuries have been caused on the whole body of the informant including the vital



part of the body inflicted by the petitioners collectively with iron rod and lathi.

Having regard to the facts and circumstances of the case, since injuries have been inflicted on the vital part of the body, I am not inclined to enlarge the petitioner nos.1, 3 and 4 on anticipatory bail. The prayer for bail to the petitioner nos.1, 3 and 4 named above is rejected.

The bail application is accordingly dismissed.

However, petitioner nos.1, 3 and 4 are directed to surrender before the learned Court below and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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