

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3291 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- PUNPUN District- Patna

1. Pawan Kumar S/o Ramdayal Yadav, resident of village Alawalpur, PS Punpun, District-Patna.
2. Ranjeet Kumar S/o Ramdayal Yadav, resident of village Alawalpur, PS Punpun, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Madan Kumar

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

ORAL ORDER

4 17-01-2022 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State through video conferencing.

The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

The petitioners apprehend their arrest in connection with Punpun P.S. Case No. 130 of 2020 registered for offence punishable under sections 341, 323, 324, 307, 379, 504, 506, 349 of the Indian Penal Code.

The informant, Rajeshwar Singh has alleged that eleven accused persons named in the FIR assaulted the



informant and his wife and his both sons, namely, Amit Kumar and Rajeev Kumar and made them injured.

The learned counsel for the petitioners has submitted that the occurrence took place for a trivial issue of repairing of *nad*. He has further submitted that there is case and counter case and the persons from both sides have sustained injuries. He has also submitted that co-accused, Rahul Kumar, Rajesh Kumar, Mukesh Kumar, Sunni Kumar, Sukhari @ Amit Kumar and Rocky Kumar have been granted anticipatory bail by the coordinate Bench in Cr. Misc. No. 65 of 2021, vide order dated 23.12.2021.

From perusal of the FIR it appears that there is specific allegation on petitioner no. 1, Pawan Kumar that he badly assaulted the wife of informant. The injury report of wife of informant, Kalawati Devi has been annexed on page no. 13 of the case diary. The injury no. 1 is fatal. Similarly, the allegation against the petitioner no. 2 is that he inflicted rod blow on the head of the informant. The injury report of informant has been annexed at page no. 12 of the case diary which shows that the informant has sustained five injuries amongst which injury no. 2 is grievous and caused by sharp weapon.

Considering the above mentioned facts and



circumstances, it is not a fit case for anticipatory bail and accordingly the prayer of petitioners for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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