

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56559 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- SIKARPUR District- West Champaran

1. SK. KHURSHID SON OF LATE SK. SHAMSHOOL R/O VILLAGE-NAUTANWA, P.S.- SHAIKARPUR, DISTRICT- WEST CHAMPARAN
2. SK. ANWER SON OF LATE SK. SHAMSHOOL R/O VILLAGE-NAUTANWA, P.S.- SHAIKARPUR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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

ORAL ORDER

2 28-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners as well as the learned counsel for the informant.

The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 325 and 307 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with Shikarpur P.S.Case No. 242 of 2020.

As per allegation, when the informant went to the house of Suresh Pandit to demand his dues for diesel supply, the



name accused persons encircled him. Petitioner no.1 assaulted with *farsa* on the head of the informant and petitioner no.2 assaulted with *garansa* on his left hand. Co-accused Sk. Mahtab assaulted him on his right hand.

The learned counsel for the petitioners has submitted that prior to the occurrence, the wife of petitioner no.2 had lodged a case against the informant's side which was registered under Section 307 of the Indian Penal Code. He has submitted further that *fardbayan* was recorded on 13.05.2020, but the formal FIR was registered on 15.05.2020.

On the other hand, the learned counsel for the informant has submitted that the informant suffered altogether seven injuries on his person including the vital part of the body. As per the injury report, injury nos. 4, 6 and 7 are grievous in nature.

The petitioners are direct assailants.

Considering the fact that there is specific allegation against the petitioners to assault the informant who sustained as many as seven injuries on his person, amongst which injury nos. 4, 6 and 7 are grievous and also the fact that petitioners have two criminal antecedents, as mentioned in paragraph no.3 of the bail petition, I do not think it a fit case for anticipatory bail.



The prayer for anticipatory bail on behalf of the petitioners is hereby rejected.

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

(Nawneet Kumar Pandey, J)

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