

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56004 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

1. RAHUL KUMAR DEO @ RAHUL LAL DEO Son fo Satya Narayan Lal Deo Resident of Village- Pohaddi Bela, P.S.- Ghanshyampur, District- Darbhanga.
2. Chandan Lal Deo Son of Late Kameshwar Lal Deo Resident of Village- Pohaddi Bela, P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-06-2022 At the outset of argument, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.2.

permission is accorded.

Anticipatory bail petition of petitioner No.2 is dismissed as withdrawn.

Heard learned counsel for the petitioner No. 1 and the State.

Petitioner No.1 apprehends his arrest in a case registered for the offence punishable under Section 307, 379 and some other allied Sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons, including this petitioner, is said to have



assaulted the son of informant by means of Farsa, iron rod, Lathi as a result of which he sustained head injury and thereafter accused persons also assaulted other persons who came to rescue his son.

Learned counsel appearing for the petitioner No.1 submits that petitioner is innocent and has falsely been implicated in the case due to previous enmity. It is submitted that no offence u/s 307 of the IPC is made out against this petitioner and Section 379 of the IPC is ornamental and super addition. There is case and counter case.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that there is specific allegation of assault against petitioner No.1, Rahul Kumar, of assaulting by iron rod and the doctor has found injury No.1 to be grievous in nature.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner No.1 on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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