

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.563 of 2022

Arising Out of PS. Case No.-219 Year-2021 Thana- PARSA District- Saran

1. SANTOSH RAI S/o Bhagwan Rai Resident of Village - Parsauna, P.S. - Parsa, District - Saran.
2. Shrawan Kumar S/o Rupan Rai Resident of Village - Parsauna, P.S. - Parsa, District - Saran.
3. Saurabh Kumar S/o Rupan Rai Resident of Village - Parsauna, P.S. - Parsa, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2022 Heard the parties.

Learned counsel for the petitioner 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.

Vide order dated 28.04.2022, this application was dismissed as withdrawn with regard to petitioner nos.2 and 3.

Accordingly, today, this application is being heard for consideration of anticipatory bail of petitioner no.1.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 307, 323, 447, 504, 506 and 34 of the Indian Penal Code.



Allegedly, on account of a land dispute, the F.I.R. named accused persons including the petitioner, assaulted the informant's side by means of lathi, danda, rod and farsa.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is a land dispute between the parties. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. For the alleged occurrence, there is a case and counter-case between the parties. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the injury sustained by the injured are grievous in nature.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. His prayer for anticipatory bail is hereby rejected.

Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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