

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10036 of 2023

Arising Out of PS. Case No.-576 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. RAM SHANKAR KUMAR @ RAM SHANKAR KUNWAR @ SHANKAR KUNWAR Son of Late Ram Sagar Kumar @ Late Ram Sagar Kunwar Resident of Village- Binodpur, Ward No.-9, P.S.- Muffasil (Singhoul O.P.), District- Begusarai
 2. RAHUL KUMAR @ RAHUL KUNWAR Son of Ramshankar Kunwar @ Ramshankar Kumar @ Shankar Kunwar Resident of Village- Binodpur, Ward No.-9, P.S.- Muffasil (Singhoul O.P.), District- Begusarai
 3. RAMAN KUMAR @ RAMAN KUNWAR @ MITHUN KUMAR @ MITHIN KUMAR Son of Ramshankar Kunwar @ Ramshankar Kumar @ Shankar Kumar Resident of Village- Binodpur, Ward No.-9, P.S.- Muffasil (Singhoul O.P.), District- Begusarai
 4. MAYANK KUMAR Son of Ramshankar Kunwar @ Ramshankar Kumar @ Shankar Kunwar Resident of Village- Binodpur, Ward No.-9, P.S.- Muffasil (Singhoul O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s :	Mr.Anil Kumar, APP.
	Mr. Jai Prakash Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 15-05-2023 Vide order dated 25.02.2023, this application with regard to petitioner no.1 was dismissed as withdrawn.

Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 326, 307, 338, 379, 504, 34 of the Indian Penal Code.

As per FIR, petitioners are said to have assaulted the



informant's son with bricks on his face and head with intention to kill him as a result of which he got jaw injury. When the informant along with other family members came there to save his son, they were also assaulted with bricks. They also snatched the golden chain of the informant's son.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. Petitioners have criminal antecedents as mentioned in para-3 of this application and supplementary affidavit. Learned counsel for the petitioners further submits that he has not deliberately suppressed the fact regarding the criminal antecedents of the petitioners.

Learned APP for the State as well as learned counsel for the informant opposed the bail application and submitted that from the perusal of the injury report of the injured Ruskin Kumar, it appears that he got four injuries. The nature of the injury is grievous. The injury report supports the allegation levelled against the petitioners. Para 19 of case diary reflects the



criminal antecedent of the petitioners and on perusal of the same, it appears that petitioners have suppressed their criminal antecedents.

Considering the facts and circumstances as well as the nature of the injury, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Anjani Kumar Sharan, J)

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