

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6164 of 2023

Arising Out of PS. Case No.-323 Year-2022 Thana- DUMRA District- Sitamarhi

1. Laddu Kumar Son of Nayan Sah R/o village - Paroha, Ward No.- 11, P.S.- Dumra, Dist.- Sitamarhi.
2. Bechan Sah Son of Nayan Sah R/o village - Paroha, Ward No.- 11, P.S.- Dumra, Dist.- Sitamarhi.
3. Ram Dulari Devi Wife of Nayan Sah R/o village - Paroha, Ward No.- 11, P.S.- Dumra, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2023 Heard both parties.

The petitioners apprehend their arrest in Dumra P.S. Case No. 323 of 2022, registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, while the informant was going to school for attending his duty, on the way, all the accused persons including petitioners armed with *lathi*, stick assaulted him causing injury on his head and ear. When his son came to save him he was also assaulted by the accused persons. The



accused persons also snatched cash and cycle of informant.

It is submitted that due to previous enmity a free fight took place between the parties in which informant and his son sustained injury. There is case and counter case. Allegation is general and omnibus and no specific overt act has been alleged against petitioners. Petitioners claim clean antecedents.

However, counsel for State opposed the prayer for bail and submitted that petitioners are named in the FIR and there is specific allegation that on account of assault by the petitioners and other sustained grievous injury.

Considering the facts aforesaid and nature, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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