

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14449 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- AKHODHIGOLA District- Rohtas

1. SANDIP KUMAR S/O RAM BACHAN SINGH @ RAM BACVHAN YADAV Resident of village- Ankorhi, P.S.- Ankorhigola, District- Rohtas.
2. PINTU KUMAR @ PINTU KUMAR SINGH @ PINTU YADAV S/O RAM BACHAN SINGH @ RAM BACVHAN YADAV Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
3. BIKASH YADAV @ BIKASH KUMAR S/O CHANDRADEO YADAV Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
4. RAM BACHAN SINGH @ RAM BACHAN YADAV S/O LATE RAM BILAS YADAV Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
5. MUNNA KUMAR @ MUNNA YADAV S/O RAMJI YADAV Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
6. PINTU KUMAR S/O RAM CHANDRA YADAV Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.
7. VIKASH KUMAR @ BIKASH KUMAR S/O VIJAY YADAV Resident of village- Rashalpur, P.S.- Muffasil, District- Gaya.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Advocate
For the Informant	:	Mr.Shree Nandan Singh, Sr. Advocate
For the State	:	Mr. Akhileshwar Dayal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard Mr. Y.C. Verma, learned senior counsel for the petitioners and Mr. Shree Nandan Singh, learned senior counsel for the informant and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Akorhigola P.S. Case No.- 115 of 2022 registered for the offences punishable under Sections 147, 149, 323, 324, 325, 307, 504, 506 of the Indian Penal Code. All the petitioners



have got criminal antecedents as stated in Paragraph '3' of the application.

Learned counsel for the petitioners submits that there was a free fight between the two parties in which both the sides have suffered injuries. There is a case and counter case, therefore, considering the nature of the allegations and the fact that both the parties have suffered injuries, the petitioners deserves privilege of anticipatory bail.

Learned senior counsel for the informant has opposed the prayer for anticipatory bail of the petitioners. It is submitted that in this case it will appear that the petitioners were lashed with deadly weapons and an attempt was made even to penetrate a dagger in the stomach of the father of the informant who suffered the injury on the chest. Learned counsel has invited the attention of this court towards the injury of Ravi Kant Singh and Shashi Kant Singh which are available on the record. It is stated that they have been brutally assaulted and the injury report should show that Ravi Kant Singh had suffered connected fracture at the temporal bones and he has also suffered multiple rib fractures. Several grievous injuries have been caused on the vital parts of the body. It is, thus, submitted that despite this being a case and counter case, the petitioners do not deserve privilege of anticipatory bail.

Having heard learned senior counsel for the parties and on perusal of the records, this Court finds that it is not a simple case of



there being a case and counter case and free fight between the parties. Normally, this Court has been considering the cases in which there is a case and counter case and the parties have suffered simple injuries but not in the kind of the injuries which are apparently showing from the injury reports available on the records. The gravity of the offence alleged and the materials available on the record are such that this Court is not inclined to grant privilege of anticipatory bail of the petitioners.

Prayer is refused.

In case the petitioners surrender and pray for regular bail in the learned court below within a period of four weeks from today their prayer shall be considered on their own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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