

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17155 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- LODIPUR District- Bhagalpur

1. SUNNY KUMAR @ NIKHIL KUMAR SINGH @ NIKHIL KUMAR Son of Naval Kumar singh R/V- Pipra, P.S- Lodipur Dist- Bhagalpur
2. Abhishek Kumar Singh Son of Naval Kumar singh R/V- Pipra, P.S- Lodipur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-07-2023 1. Heard the parties.

2. The petitioners apprehends their arrest in connection with Lodipur P.S. Case No.292 of 2022, registered for the offence punishable under Sections 341, 307, 504, 506, 323, 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they assaulted upon the head of the informant with an intention to kill him due to which he became severely injured.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is a case and counter-case between the parties and both sides have sustained injuries. It is submitted by the learned counsel for the petitioners that the petitioner's side have also sustained head injury in the occurrence. There is a delay of four days in the lodging of the FIR. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioners to assault the informant and the nature of the injury has been found to be of grievous nature, which is also clear from the perusal of the impugned order.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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