

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33266 of 2023**

Arising Out of PS. Case No.-495 Year-2022 Thana- FALKA District- Katihar

1. GANAURI SINGH @ GENORI SINGH S/o- BACCHI SINGH R/o- Ranga Kol, Marha Tola, Ps- Falka, Dist- Katihar
2. Lalo Singh son of Ganauri Singh @ Genori Singh R/o- Ranga Kol, Marha Tola, Ps- Falka, Dist- Katihar
3. Mukesh Singh son of Bacchi Singh R/o- Ranga Kol, Marha Tola, Ps- Falka, Dist- Katihar
4. Sushil ram son of Late Munni Ram R/o- Ranga Kol, Marha Tola, Ps- Falka, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      21-08-2023      Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Falka P.S. Case No. 495 of 2022, registered for the offence punishable u/s 307, 302, 201/34 of the IPC, pending in the court of C.J.M., Katihar.

3. The prosecution case, in brief, is that on 03.12.2022, the informant and his friend, namely, Pritam Yadav went to see his field and in the meantime, all the accused persons including the petitioners, lashed with deadly weapons, stopped them and



assaulted them brutally due to which the informant sustained injuries and got fainted, whereas his friend died on spot. Thereafter, they also tried to dispose the dead body of the informant's friend but seeing the villagers, they fled away.

4. 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 ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no independent witness to corroborate the allegation against the petitioners. It is further submitted that the informant and the deceased were the notorious criminals of their society and several cases are pending against them. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that though there is general and omnibus allegation of assault against the petitioners, but they were also involved in the present case due to which the informant's friend died on spot, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case and nature of the offence, I am not inclined to enlarge the petitioners



on bail. The prayer for bail of the petitioners is hereby rejected.

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

**(Anjani Kumar Sharan, J)**

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