

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38663 of 2023

Arising Out of PS. Case No.-1081 Year-2022 Thana- TURKAULIYA District- East
Champaran

-
1. MUKESH DAS, Son of Thakur Das, Village- Jaisinghpur Rajpur P.S.-
Turkauliya, Dist- East Champaran
 2. Ashok Das, Son of Thakur Das, Village- Jaisinghpur Rajpur P.S.-
Turkauliya, Dist- East Champaran
 3. Sandeep Kumar @ Sandeep Das, son of Shambhu Das, Village- Jaisinghpur
Rajpur, P.S.- Turkauliya, Dist- East Champaran
 4. Chandan Das @ Chandan Kumar, son of Shambhu Das, Village- Jaisinghpur
Rajpur, P.S.- Turkauliya, Dist- East Champaran
 5. Narendra Das @ Narendra Kumar, son of Prabhu Das, Village- Jaisinghpur
Rajpur, P.S.- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kuar, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Anil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioners, learned
A.P.P for the State and learned counsel for the informant.
2. The petitioners have preferred this application for
grant of anticipatory bail apprehending their arrest in connection
with Turkauliya P.S. Case no. 1081 of 2022 registered under
sections 307, 147, 341, 323, 379, 504 and 506 of the Indian
Penal Code.
3. As per the prosecution case, the informant states



that the six named accused persons including the five petitioners herein came variously armed. Seeing the informant they assaulted him with an iron rod on his head causing serious injuries. At this time, Chandan Das and Mukesh Das assaulted the informant's mother with a stick on her leg and took away Rs.15,000/- in cash. On raising *halla*, on the villagers arriving there the other accused persons also assaulted them.

4. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The allegations are general and omnibus in nature. No injury reports are available. The cause of false implication is land dispute between the parties. No offence under section 307 of the Indian Penal Code is made out.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R together with the contents of the injury report, wherein, injuries have been found on the head of Ramashish Das as also Manoj Das, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. In case the petitioners surrender within a period of four weeks and pray for regular bail, the same shall be



considered by the learned Trial Court without being prejudiced
by this order of rejection.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

