

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42461 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- KAJRA District- Lakhisarai

1. Mayank Madhukar Son Of Late Baldev Raj Pritam Resident Of Village Ofadam Lawa, P.S.-Kajra, District-Lakhisarai , At Present Of Resident Of Prabhat Narayan, D.S. College Road, Katihar P.S. And District-Katihar
2. Ashish Mohan Son Of Late Baldev Raj Pritam Resident Of Village Ofadam Lawa, P.S.-Kajra, District-Lakhisarai , At Present Of Resident Of Prabhat Narayan, D.S. College Road, Katihar P.S. And District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 447, 341, 313, 324, 307, 374, 507/34 of the Indian Penal Code.

3. Petitioners are said to have assaulted the informant and his son by means of Kachiya and iron Khanti.

4. Learned counsel for the petitioners submits that the petitioners is innocent and have been falsely implicated in this case due to land dispute. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is no injury as claimed by the informant in the FIR. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.



5. Learned APP for the State opposing the prayer for bail submits that there is specific allegation of assault against the petitioners and the injury found upon the victim is grievous in nature.

6. Considering the nature of injury, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Kajra P.S. Case No. 07 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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