

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41497 of 2023

Arising Out of PS. Case No.-601 Year-2022 Thana- SONEPUR District- Saran

1. Banti Kumar Rai Son of Late Bihari Rai R/o Village - Pravejabad, P.S.- Sonepur, District - Saran at Chapra.
2. Chandan Rai @ Chandan Kumar Son of Late Bihari Rai R/o Village - Pravejabad, P.S.- Sonepur, District - Saran at Chapra.
3. Himansu Kumar @ Chopra Son of Dharmendra Rai R/o Village - Pravejabad, P.S.- Sonepur, District - Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Sonepur P.S. Case No. 601 of 2022 registered for the offences punishable under Sections 341, 323, 307, 504, 506 & 34 of the Indian Penal Code. Petitioner no. 1 has got two criminal antecedent and petitioner no. 2 has got one criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that one Banti Kumar Rai used to take wine in front



his house and when he objected for doing so, he threatened to kill him and his family members. It is alleged that on 11.08.2022 when the grand-son of the informant, who was preparing for appointment in Army, was returning back from Pahlejaghat station, in the meanwhile, all the accused persons along with these petitioners were surrounded him and brutally assaulted him by means of iron rod, butt of katta and other things, as a result of which he was found in unconscious position, thereafter the informant and other family members got him admitted in referral hospital where after getting consciousness he narrated the whole incident.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that the F.I.R. has been lodged after lapse of one day from the date of occurrence.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the allegation which has been supported by injury report showing lacerated wound on occipital region of skull and multiple linear bruises on upper back for which the patient was referred for CT scan



of brain, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Prayer for anticipatory of the petitioners is, thus, refused.

8. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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