

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53599 of 2022

Arising Out of PS. Case No.-324 Year-2021 Thana- SONEPUR District- Saran

1. Ratnesh Kumar, Son of Bajesh Kumar @ Brajesh Paswan.
2. Devendra Prasad @ Raja Babu, Son of Ram Swarath Ram Both Resident of Village - Paharichak, P.S.- Sonepur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Sonepur P.S. Case No.324 of 2021 instituted under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379 of the Indian Penal Code.

As per the prosecution story, allegation is that the accused knocked the door and when the father of the informant opened the door, the named accused persons along with 8-10 unknown persons came variously armed and assaulted his father. Further, when his cousin brothers came to his father's rescue, they too were assaulted. In the process, the family members received injuries. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that for the



same occurrence, two FIRs were lodged one by the petitioner's side the other by the informant. Further, the police after investigation have omitted Section 27 of the Arms Act and in the said background, they deserve bail.

Taking into account that allegation of assaulting the family members are there and the petitioners have criminal antecedents too, this Court is not inclined to grant them privilege of anticipatory bail, which is accordingly rejected.

(Rajiv Roy, J)

Prakash Narayan/
Ajay Singh

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