

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59430 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- GAYA MUFASIL District- Gaya

1. MD. ALTAF @ MD. ALTAL @ MD. ALTAF HUSAIN Son of Md. Kaleem @ Md. Kalim Resident of Village - Bhadeja, Police Station - Muffasil, District - Gaya
2. Md. Akbar Son of Md. Noor Alam Resident of Village - Bhadeja, Police Station - Muffasil, District - Gaya
3. Md. Wasim Son of Md. Ehsan Resident of Village - Bhadeja, Police Station - Muffasil, District - Gaya
4. Md. Samir Son of Md. Rizwan Resident of Village - Bhadeja, Police Station - Muffasil, District - Gaya
5. Md. Sammi @ Rehan @ Rehman @ Md. Sunny Son of Md. Ehsan Resident of Village - Bhadeja, Police Station - Muffasil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr. Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-02-2023 Heard both sides.

Petitioners apprehend their arrest in connection with Muffasil P.S. Case No.167 of 2022, registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 427 and 504 of the Indian Penal Code.

The informant alleged that on 28.02.2022 at about 11.45 a.m., the petitioners came to his residence armed with weapons and by saying that they have not cast their votes in their favour started assaulting the informant causing head injury. The petitioners also assaulted him with hockey, stick and *danda*. When



the wife of the informant came, she was also assaulted by petitioner no.2, Md. Akbar. It is also alleged that the accused persons damaged the household articles and committed theft of cash.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is general and omnibus allegation against the petitioners. It is submitted that the dispute between the parties relates to Panchayat election. The independent witnesses have not supported the prosecution case.

Learned APP for the State opposes the prayer for grant of anticipatory bail to the petitioners by submitting that the injuries sustained by the injured person are grievous in nature.

Considering the nature of injuries, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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