

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58615 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- MORO District- Darbhanga

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1. HATISH KUMAR @ HATISH YADAV SON OF UPENDRA YADAV
VILLAGE- AURAILA, PS- MORO, DIST- DARBHANGA
 2. RAM MANOHAR YADAV @ MANOHAR KUMAR SON OF JAGDISH
YADAV VILLAGE- AURAILA, PS- MORO, DIST- DARBHANGA
- Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP.
Mr. Rajesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2023 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in Moro P.S. Case
No. 12 of 2023 registered for the offences punishable under
Sections 341, 323, 427, 34 of the Indian Penal Code.

3. Allegedly, petitioners are said to have assaulted the
informant's grandson brutally and caused damage to his
motorcycle.

4. It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence. No
such occurrence as alleged ever took place. Both the parties are
co-villagers. Petitioners have been falsely implicated in this case
due to ulterior motive. The allegation levelled against the



petitioners is totally false and based on concocted facts. The real fact is that the informant's grandson met with an accident due to which he sustained head injury. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State as well as learned counsel for the informant vehemently opposing the bail petition submitted that there is specific allegation against the petitioners to assault the informant's grandson due to which he sustained grievous injury. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of case as well as nature of the injury sustained by the injured i.e. grievous, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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