

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62924 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- PATORI District- Samastipur

1. Abhay Kumar S/o Late Munni Lal Rai R/o Village- Chaksaho, P.S.- Patori Distt- Samastipur.
2. Avinash Kumar @ Avinash Kumar Rai S/o Late Munni Lal Rai R/o Village- Chaksaho, P.S.- Patori Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Usha Kumari Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-04-2023 Heard both parties.

The petitioners apprehend their arrest in Shahpur Patori P.S. Case No. 10 of 2022, registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, co-accused Mukesh entered the house of informant and tried to commit rape with the daughter-in-law of the informant. On *hulla* raised by the victim, the informant came then he pointed pistol on her. It is further alleged that petitioners and co-accused Vinay Kumar assaulted the informant with iron rod on her head causing head injury and also with



lathi causing fracture of her hand. Co-accused Vinay Kumar and petitioner no. 2 also took away gold chain of the informant.

It is submitted on behalf of petitioners that over petty dispute of children of both the families, a free fight took place between the parties. There is case and counter case. The present case is counter blast of Shahpur Patori PS Case No. 11 of 2022 which was lodged by petitioners side in which the sons of informant are accused. Petitioners have got clean antecedents.

However, counsel for State vehemently opposed the prayer for bail and submitted that on account of assault by the petitioners informant's hand got fractured which is grievous in nature.

Considering the facts aforesaid and nature of injury, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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