

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65161 of 2022

Arising Out of PS. Case No.-341 Year-2022 Thana- MURLIGANJ District- Madhepura

1. ASHOK RISHIDEO S/O Anandi Rishideo R/O Village- Vishanpur Ward No-10, Ghat Tola Parva Navtol, P.S- Murliganj, District- Madhepura
2. Sunil Rishideo S/O Anandi Rishideo R/O Village- Vishanpur Ward No-10, Ghat Tola Parva Navtol, P.S- Murliganj, District- Madhepura
3. Lalit Rishideo S/O Ashok Rishideo R/O Village- Vishanpur Ward No-10, Ghat Tola Parva Navtol, P.S- Murliganj, District- Madhepura
4. Baua Rishidev @ Yoganand Rishideo @ Baua Rishideo S/O Anandi Rishideo R/O Village- Vishanpur Ward No-10, Ghat Tola Parva Navtol, P.S- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 24-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in F.I.R and apprehending their arrest in connection with Murliganj P.S. Case No. 341 of 2022 registered for the offences punishable under Sections 341, 342, 323, 307, 354(B), 504, 506 and 34 of the Indian Penal Code.



The allegation against above named petitioners is to cause repeated knife injuries upon informant, along with other co-accused persons, while she was returning to her home on 17.07.2022, having intention to cause her death. It is also alleged thereof that the above named co-accused persons outraged her modesty after causing knife injuries.

Learned counsel appearing on behalf of the petitioners submitted that allegation is appearing very much general and omnibus against these petitioners. It is submitted that all three (3) injuries alleged to be caused by knife are reported to be simple, which not appears sufficient to cause death of informant in ordinary course of nature. It is further submitted that informant has inimical terms with these petitioners, Murliganj P.S. Case No. 92 of 2022 is pending between the parties, where petitioner has lodged a case for committing murder of grandson of Petitioner No.1 and just to create a legal pressure as to enter into the compromise, the present false case was lodged subsequently.

Learned APP, while opposing the prayer of bail, submitted that the nature of injuries is not a criteria to constitute an offence under Section 307 of the Indian Penal Code and prime ingredients is intention which is to be gathered from the



given set of facts and circumstances. It is submitted that in the present case co-accused persons including above named petitioners assaulted informant repeatedly and caused multiple knife injuries on the vital parts of the body i.e. neck and abdomen. It is further submitted that repeated injuries by several co-accused persons, while victim being a lady was alone, is sufficient to gather that petitioners were under intention to cause her death which was aborted due to timely intervention of nearby people, who arrived on spot.

Considering the aforesaid facts and circumstances and by taking note of multiple knife injuries on the vital parts of the body of the informant, the prayer of anticipatory bail of all above named petitioners is rejected herewith.

(Chandra Shekhar Jha, J)

R.S.Sen/-

U		T	
---	--	---	--

