

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70252 of 2022

Arising Out of PS. Case No.-297 Year-2021 Thana- TARAIYA District- Saran

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1. Kameshwar Rai S/O Kapildeo Rai @ Kapil Ray R/O Village- Baghi Harakpur, P.S- Taraiya, District- Saran at Chapra
 2. Doodhnath Rai S/O Shyamlal Rai R/O Village- Baghi Harakpur, P.S- Taraiya, District- Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-02-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 506, 504, 323, 325, 336, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged against the petitioner no. 1 Kamleshwar Rai that he assaulted Ramdas Rai with iron pipe causing injury on his head whereas petitioner no. 2 Doodhnath Rai assaulted Ramdas Rai with lathi due to which his both hands got fractured.

It is submitted by learned counsel for the



petitioners that the petitioners have falsely been implicated in the present case and there is case and counter case between the parties and the injuries have been found to be grievous. It is further submitted that there is land dispute between the parties also. A statement has been made in paragraph 3 of the petition that the petitioners have got no criminal antecedent.

Learned APP opposed the prayer for anticipatory bail and submits that from the impugned order it appears that the injuries caused to Ramdas Rai have been found grievous in nature.

Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioners and accordingly, this bail application is rejected.

However, the learned court below consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by the order of this Court considering the fact that there is case and counter case and land dispute between the parties.

(Anjani Kumar Sharan, J)

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