

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72998 of 2022

Arising Out of PS. Case No.-202 Year-2022 Thana- MADHUBAN District- East Champaran

1. AJIT KUMAR S/O NAWAL RAI Resident of village- Koriya, P.S.- Madhuban, District- East Camparan.
2. NAMOD KUMAR YADAV @ TUNNU YADAV S/O CHANDAPAL YADAV Resident of village- Koriya, P.S.- Madhuban, District- East Camparan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Adv
For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-02-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Madhuban P.S. Case No.202 of 2022, registered for the offence punishable under sections 147, 148, 149, 341, 323, 342, 324, 307, 302, 337, 504 of the Indian Penal Code.

The allegation against the petitioners is that they alongwith other co-accused persons abused and assaulted the informant's side by means of several weapons due to which they sustained several injuries. The husband of the informant was taken to hospital where he was declared dead.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that from the perusal of the fardbeyan it is evident that 15 persons assaulted the deceased and other injured whereas only three external injuries were found on the body of the deceased out of which one injury was on scalp and others are on non-vital part of the body. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is specific allegation against the petitioners to assault Mausam Kumar due to which he sustained grievous injuries.

Having regard to the facts and circumstances of the case, as the injuries are grievous in nature, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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