

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75331 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- MASHRAK District- Saran

JWALA RAI @ JWALA RAY SON OF LATE ACHCHEYLAL RAI R/O
VILLAGE- SERUKAHA, P.S.- MASHRAKH, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mani Bhushan Kumar Singh
For the Opposite Party/s	:	Mr.Uday Chand Prasad
	:	Mr. Harsh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 325 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

All the accused persons armed with rod, pistol and sword are said to have assaulted the informant. On the or der of Nagendra Singh, Ajit Rai armed with Sword and Jwala Rai armed with daab caused injuries on the head of the informant. When the informant fell down on the ground, Nagendra Singh assaulted him by means of iron rod on his both legs.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is admitted land dispute between the parties. He further submits that there is delay of two days in filing of the present FIR. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State along with learned counsel for the informant vehemently opposing the bail application and submits that the bail application of the similarly situated other co-accused person was already rejected by the Coordinate Bench of this Court and injury caused upon the informant is grievous in nature. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Mashrakh P.S. Case No. 57/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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