

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1165 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- BAIRIYA District- West Champaran

1. LAL BABU MALIK @ LAL BABU RAUT S/o Ramswarup Raut @ Swarup Malik R/o Village- Balua Rampurwa, P.S.- Bairiya, Distt- West Champaran.
2. Munna Malik @ Munna Raut S/o Ramswarup Raut @ Swarup Malik R/o Village- Balua Rampurwa, P.S.- Bairiya, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 10-04-2023 Learned counsel for the petitioners seeks permission to withdraw the bail application of petitioner no.1 Lal Babu Malik @ Lal Babu Raut.

Permission is accorded.

Accordingly, the application of petitioner no.1 Lal Babu Malik @ Lal Babu Raut is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 1 Munna Malik @ Munna Raut and learned counsel for the State.

The petitioner no. 2 apprehends arrest in connection with Bairiya P.S. Case No. 246 of 2022 registered under Sections 341/323/324/307/379/504/34 of the I.P.C.

Submission of learned counsel for the petitioner is



that petitioner is innocent and has falsely been implicated in the present case. There is land disputed between the parties. Further he submits that petitioner has no criminal antecedent.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner by contending that petitioner is named in the first information report. There is direct allegation against the petitioner of *farsa* blow on the head of the informant with intention to kill him. Hence, the petitioner does not deserve to be enlarged on anticipatory bail.

Having considered the facts and circumstances of the case and nature of the allegation as well as the submissions advanced on behalf of the learned counsel for the State, this Court is not inclined to grant anticipatory bail to the petitioner no.2.

Accordingly, prayer of the petitioner no. 2 Munna Malik @ Munna Raut is rejected.

(Arvind Srivastava, J)

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