

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4307 of 2024

Arising Out of PS. Case No.-150 Year-2021 Thana- PATEPUR District- Vaishali

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RANJIT SAH, SON OF RAM ISHWAR SAH, RESIDENT OF VILLAGE -
MALPUR, P.S.- PATEPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Patepur P.S. Case no.150 of 2021 registered under sections 307, 147, 148, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the six named accused persons including the petitioner herein are said to have come to the shop of the informant. It is stated that as a result of land dispute between the parties, the accused started to abuse the informant. On the informant resisting, Arvind Sah is said to have caught the informant by his neck and pushed him while Ranjit Sah (petitioner) and Bhupendra Rai assaulted with a sword and a *khanti*. Chandan Kumar threatened his nephew with



a pistol.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties and the case lodged by the informant's side is at an earlier point of time. It was as an after thought and to set up a defence that the instant FIR (Annexure-1) has been registered. Learned counsel further submits that while the allegation against the petitioner is of having assaulted with a sword, the injury report does not support the prosecution case in so far as lacerated injury has been found. Co-accused Arvind Sah has been enlarged on bail vide order dated 6.6.2022 passed in Cr. Misc. no.70835 of 2021.

5. The application for anticipatory bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner that he along with one Bhupendra Rai are said to have assaulted the informant with a sword and a *khanti* and corresponding injury has been found on the body of the informant, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned



Court below within a period of four weeks.

8. In case the petitioner surrenders within a period of four weeks and pray for regular bail, the same shall be considered by the learned Trial Court without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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