

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13945 of 2024

Arising Out of PS. Case No.-589 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

1. Lal Bahadur Shastri Son of Ramjivan Mahto Village Saren PS Makhdumpur District Jahanabad
2. Sanjeet Kumar Son of Lal Bahadur Shastri Resident of Village- Saren, Police Station- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gajanan Mishra, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the Informant	:	Mr. Shahid Jawed, Advocate
		Mr. Rananjay Kumar, Advocate
		Mr. Nauman Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024 Learned counsel for the petitioners at the outset submits that petitioner No. 02 has been arrested and as such, the same be allowed to be withdrawn.

2. Permission is accorded.

3. The petition with respect to petitioner No. 02 stands withdrawn.

4. Heard the parties.

5. The petitioners are apprehending their arrest in connection with Makhdumpur P.S. Case No. 589 of 2023 for the offence under Sections 341, 323, 324, 325, 308, 504, 506 and 379 of the I.P.C. lodged on 01.09.2023, by the informant, Sita Devi.

6. As per the prosecution story, the informant alleged that due to land dispute, there has been scuffle earlier too and on



that particular day, the accused were hiding themselves and the moment, the couple arrived, the petitioner No. 1 gave order to Rajesh Kumar to kill him, this followed assault by Rajesh Kumar by *kudal* on her husband's head, causing injury. The further allegation is that both the petitioner No. 1 and Sanjeet Kumar threw the husband of the informant on the floor and again gave order to kill him, whereafter multiple blows were given by Rajesh Kumar causing serious injuries to him. Accordingly, the FIR.

7. Learned counsel for the petitioners submit that there has been land dispute for which an exaggerated FIR has been lodged and his role is only of order giver.

8. Learned counsel appearing on behalf of the informant submits that he is not only an order giver, he threw the informant's husband on the ground, whereafter Rajesh Kumar gave multiple blows.

9. In that background, it would be appropriate that the petitioner No. 1 seeks bail.

10. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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