

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24207 of 2022

Arising Out of PS. Case No.-793 Year-2021 Thana- MAHUA District- Vaishali

1. RAM PRAVESH RAI Son of Fagun Rai Resident of Village - Khatri Chak (Mirjapur Shdullahpur Urf Khatrichak), P.S.- Mahua, District - Vaishali at Hajipur, Pin Code - 844122 (Bihar).
2. Fagun Rai Son of Late Parichhan Rai Resident of Village - Khatri Chak (Mirjapur Shdullahpur Urf Khatrichak), P.S.- Mahua, District - Vaishali at Hajipur, Pin Code - 844122 (Bihar).
3. Rajesh Rai Son of Fagun Rai Resident of Village - Khatri Chak (Mirjapur Shdullahpur Urf Khatrichak), P.S.- Mahua, District - Vaishali at Hajipur, Pin Code - 844122 (Bihar).
4. Rakesh Rai Son of Fagun Rai Resident of Village - Khatri Chak (Mirjapur Shdullahpur Urf Khatrichak), P.S.- Mahua, District - Vaishali at Hajipur, Pin Code - 844122 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.
For the Opposite Party/s : Mr.Murli Dhar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. This application has already been dismissed as withdrawn on behalf of petitioner no.4 vide order dated 10.10.2022.

3. Now, this application survives for petitioner nos. 1 to 3 only.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148,



149, 323, 324, 307, 380, 354, 404, 506 & 325 of the Indian Penal Code.

5. Allegedly, all the FIR named accused persons including the petitioners are said to have assaulted the informant's side brutally due to which they sustained multiple injuries.

6. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Both the parties are agnates and there is admitted land dispute between the parties. Both sides have filed cases against each other.. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposed the prayer for bail and submitted that there is serious allegation against the petitioners to assault the informant's side brutally due to which some of the injuries caused by the petitioners to the injured persons are found grievous in nature. Hence, the petitioners do not deserve the privilege of the anticipatory bail.

8. Having regard to the facts and circumstances of the



case, as the injured persons have sustained grievous injuries, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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