

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43676 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- CHARPOKHARI District- Bhojpur

1. Dinesh Singh Son of Bihari Singh R/O Vill.- Madrahan, P.S.- Charpokhari, Dist.- Bhojpur at Ara
2. Raju Singh Son of Bihari Singh R/O Vill.- Madrahan, P.S.- Charpokhari, Dist.- Bhojpur at Ara

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50867 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- CHARPOKHARI District- Bhojpur

Laxhman Singh @ Lachuman Singh @ Laxhnman Singh Son of Late Jagdeo Singh Resident of Village - Madrahan, P.S.- Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 43676 of 2024)

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 50867 of 2024)

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-08-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Charpokhari P.S. Case no. 47 of 2024 registered under sections 307, 379, 147, 341, 323, 325, 354, 447, 504 and 506 of



the Indian Penal Code.

3. As per the prosecution case, the informant states that nine named accused persons including the petitioners herein came variously armed and they started to assault the informant's uncle and his family members. Thereafter, it is stated that Laxhman Singh assaulted the informant's wife with spear while Dinesh Singh and Raju Singh assaulted the informant's uncle as a result of which he sustained injuries. They also took away Rs. 76,000/- cash.

4. Learned counsel for the petitioners in Cr. Misc no. 43676 of 2024 submits that the petitioners have been falsely implicated in the case. The allegations are general and omnibus in nature. The injury report of the injured does not support the prosecution case of assault by so many accused persons. Co-accused Dhirendra Kumar @ Sadhu Singh has been enlarged on bail vide order dated 19.08.2024 passed in Cr. Misc no. 48300 of 2024. The petitioners have no criminal antecedent and undertake to cooperate in the case.

5. Learned counsel appearing for the petitioner in Cr. Misc no. 50867 of 2024 submits that the petitioner has been falsely implicated in the case. While the allegation in the F.I.R is that he is said to be armed with spear, the injury report of the



informant’s uncle does not support the prosecution case as against this petitioner as the injuries have been found to be caused by hard and blunt substance. The petitioner has no criminal antecedent.

6. Heard learned A.P.P for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R wherein besides all the accused persons, three petitioners herein are specifically said to have assaulted the informant’s uncle leading to grievous injuries being caused, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

8. The petitioners are directed to surrender in the learned trial Court within a period of four weeks.

9. In case the petitioners surrender 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)

Harsh/-

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