

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74666 of 2024

Arising Out of PS. Case No.-217 Year-2024 Thana- WARISLIGANJ District- Nawada

1. Ranjay Singh @ Ranjay Kumar Son of Tanik singh Resident of Village- Gadua, Post- Mosma, P.S- Warisaliganj, Distt.- Nawada
2. Krishan Kumar @ krishna Kumar Son of Aditya Singh Resident of Village- Mosima, Post- Warisaliganj, P.S- Warisaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-11-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Warisaliganj P.S. Case No. 217 of 2024 dated 20.06.2024 registered for the offence under Section 341 / 342 / 323 / 307 / 379 / 504 / 34 of the I.P.C.

3. As per the prosecution case on 19.06.2024 at about 7:00 P.M. while the informant- Soni Devi was in her “Gausala” (cattle-shed), the petitioners along with other F.I.R. named accused suddenly started making assault on the person of her husband and when one Kunal came for rescue, then Krishna Kumar (petitioner no. 2) gave blow of pistol butt on the head of Kunal causing injury on the front portion of the head and



Ranjay Singh (petitioner no. 1) gave blow of iron rod on the middle part of the head due to which Kunal fell down. Ranjay also assaulted informant's husband Chunchun.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the case. He submits that though the occurrence had taken place on 19.06.2024 at 7 O' Clock, the present case has been lodged after due deliberation on 20.06.2024 at 12 O' Clock without any plausible explanation for the delay. He further submits that the prosecution party are the aggressors who were filling soil in the land of the petitioners and tried constructing road through the land of the petitioners and on objection the altercation took place in which both sides have received injuries. He next submits that no independent witness has come forward to support the prosecution version and only interested witnesses have deposed, whose statement is full of contradictions. In paragraph no. 3 of the bail application it has been mentioned that the petitioner no. 1 is having one criminal antecedent and the petitioner no. 2 is having four criminal antecedents.

5. I have heard learned counsel for the parties. The petitioners are F.I.R. named accused. From perusal of the F.I.R. it is evident that the petitioner no. 1 gave repeated blow of iron



rod on the middle of the head of the victim – Kunal and the petitioner no. 2 assaulted by the Butt of the pistol on the front portion of the head of the victim which is a vital part. In the impugned order rejecting prayer for anticipatory bail the learned Addl. Sessions Judge -Vth, Nawada has taken note of the fact that injury report shows fracture of supraorbital ridge of left frontal bone which is grievous in nature. Besides this, both the petitioners have criminal antecedent.

6. Considering the nature of allegation and the severity of punishment, I am not inclined to grant the privilege of anticipatory bail to the petitioners. The same stands rejected.

(Anil Kumar Sinha, J)

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