

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74884 of 2024

Arising Out of PS. Case No.-413 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

1. Kusum Kumari @ Soni @ Soni Kumari W/o- Abhishek Kumar @ Abhishek @ Sardar R/v- H No 12, Beena Bhawan Gali no-3, Shivaji chowk Ramkrishan Nagar, Ps- Ramkrishna Nagar District- Patna
2. Abhishek Kumar @ Abhishek @ Sardar S/o- Late Ravindra Kumar Sinha R/v- H No 12, Been Bhawan Gali no-3, Shivaji chowk Ramkrishan Nagar, Ps- Ramkrishna Nagar District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Ram Krishna Nagar P.S. Case no.413 of 2024 registered for the offence punishable under sections 307, 379, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, over a dispute between the parties it is stated that petitioner no.1 armed with khanti and the petitioner no.2 armed with an iron pipe are said to have assaulted Rohit leading to grievous injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. It is for



the reason that the petitioner no.2 is not on good term with his brother who happens to be an advocate. Other persons named in the FIR at Annexures P/3 and P/4 gather in the house of his brother and indulge in various illegal activities. It is as a result of enmity between the parties that the petitioners have been falsely implicated in the case. The petitioners have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the two petitioners are named in the FIR but there is direct allegation against them that they armed with iron pipe and a *khanti* assaulted Rohit on his head leading to grievous injury which would be evident from the order of the learned trial Court.

6. Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioners in the F.I.R. together with the corresponding injuries having been found to be grievous in nature which would be evident from the order of the learned trial Court, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the



learned Court below within a period of of four weeks.

8. In case the petitioners so surrender and pray for regular bail the same shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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