

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79129 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- ROSERA District- Samastipur

1. Savita Devi W/O Bablu Rajak Resident of Ward no- 18(old) / 23(new) Laxmipur Rosera, Police Station- Rosera, District- Samastipur.
2. Bablu Rajak Son of Late Sudhir Rajak Resident of Ward no- 18(old) / 23(new) Laxmipur Rosera, Police Station- Rosera, District- Samastipur.
3. Shila Devi Wife of Late Sudhir Rajak Resident of Ward no- 18(old) / 23(new) Laxmipur Rosera, Police Station- Rosera, District- Samastipur.
4. Saraswati Kumari @ Saraswati Devi Daughter of Late Sudhir Rajak Resident of Ward no- 18(old) / 23(new) Laxmipur Rosera, Police Station- Rosera, District- Samastipur. At present Wife of Bipin Rajak resident of Ward no- 11, Chackbali Mahna, Police Station-Chakia District- Begusarai, Pin- 851210.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-12-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Rosera PS case no. 160 of 2024, disclosing offences punishable under Section 103/3(5) of B.N.S. Act, 2023.
3. The prosecution story, as per the First Information Report, is that on 13.07.2024, one Deepak Rajak and his nephew Prince Kumar were fighting with each other. When the father of the informant intervened, petitioners along with co-



accused Prince Kumar started assaulting him. It is alleged that the petitioners came to the verandah of the house of the informant, where his father was sitting and they thrown him on the ground and started assaulting, due to which, father of the informant sustained grievous injury on his nose and blood oozed out. It is further alleged that in the way to the hospital, informant's father died.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of false and concocted story. Learned counsel further submits that there is general and omnibus allegation against the accused persons. He also submits that the victim was an old and sick person and when he went to stop the fighting, suddenly he fell down on the earth and he sustained internal nose injury, due to which, blood oozed out and he died.

5. From perusal of impugned order, it appears that the petitioners are named in the First Information Report and there is direct allegation against them of assaulting the father of the informant, due to which, he died.

6. In the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners.



7. The prayer for anticipatory bail on behalf of the petitioners is, accordingly, rejected.

(Anil Kumar Sinha, J)

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