

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82529 of 2023

Arising Out of PS. Case No.-579 Year-2023 Thana- HILSA District- Nalanda

1. SUMANT KUMAR S/O SHYAM BIHARI CHAUHAN R/O VILLAGE-NADWAR, P.S- HILSA, DISTT.- NALANDA.
2. HEMANT KUMAR S/O SHYAM BIHARI CHAUHAN R/O VILLAGE-NADWAR, P.S- HILSA, DISTT.- NALANDA.
3. SANJEEV KUMAR S/O SHYAM BIHARI CHAUHAN R/O VILLAGE-NADWAR, P.S- HILSA, DISTT.- NALANDA.
4. SHYAM BIHARI CHAUHAN S/O LATE SUKAR CHAUHAN R/O VILLAGE- NADWAR, P.S- HILSA, DISTT.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Hilsa P.S. Case No. 579 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 448, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant's side brutally. Petitioner no.1 assaulted the informant's daughter and on protest, he also assaulted the informant on his head with iron rod due to which he also sustained injury. Petitioner no.2 threw



the informant's grandson aged about 15 months from the roof due to which he sustained grievous injury. Petitioner no.3 assaulted the informant's wife with iron rod, whereas petitioner no.4 assaulted the prosecution party with *lathi* due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. The informant is full brother of the petitioner no.4. 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. 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.

5. Learned APP for the State opposed the prayer for bail and submitted that there is serious allegation against petitioner no.2 that he threw the grandson of the informant from the roof top due to which he sustained grievous injury.

6. Considering the facts and circumstances of the case, nature of the offence as well as nature of the injury sustained by the grandson of the informant i.e. grievous, I am not inclined to



enlarge the petitioners on anticipatory bail.

7. The prayer for anticipatory bail of the petitioners is
hereby rejected.

(Anjani Kumar Sharan, J)

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