

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4544 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- BARAULI District- Gopalganj

1. Golu Patel @ Golu Kumar And Another S/o Santosh Kumar Patel Vill. - Dewapur, P.S. - Barauli, Gopalganj
2. Deepak Patel @ Deepak Kumar S/o Santosh Kumar Patel Vill.-Dewapur, jP.S. Barauli, Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Adesh Raj Singh, Adv.
For the Opposite Party/s	:	Mr.Md. Shakir Ahmad, APP
For the Informant	:	Mr.Umesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-03-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioners are apprehending their arrest in connection with Barauli P.S. Case No.307/2023, registered for offence punishable u/s 341, 323, 324, 326, 307, 379, 504, 506/34 of the IPC.

3. Allegedly, the petitioners are said to have assaulted the informant's sons and daughter with knife.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence. They have been falsely implicated in this case due to



ulterior motive. No such occurrence in the manner as alleged has ever taken place. It is submitted that there is an admitted land dispute between the parties. The informant, who is the aunt (*bua*) of the petitioners with a view to grab the land belonging to the petitioners has falsely implicated the petitioners in this case. There is general and omnibus allegation against the petitioners. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that there is specific allegation against the petitioners to assault the sons of the informant with knife and the injury has been found grievous in nature, which is clear from the case diary.

6. Considering the aforesaid facts and circumstances and the nature of injury, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioners are at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that the petitioners are student and learned Court



below is directed to follow the order passed by the Apex Court
in the case of **Satendra Kumar Antil v/s. Central Bureau of
Investigation & Anr.** as reported in **(2022) 10 SCC 51.**

(Anjani Kumar Sharan, J)

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