

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48542 of 2024

Arising Out of PS. Case No.-361 Year-2023 Thana- DORIGANJ District- Saran

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1. Deepak Ram S/O Ramnath Ram R/O Village- Manupur Jhaghirpur, P.S.- Doriganj, Dist- Saran
 2. Vinod Ram S/O Ramnath Ram R/O Village- Manupur Jhaghirpur, P.S.- Doriganj, Dist- Saran
 3. Dilip Kumar S/O Ramnath Ram R/O Village- Manupur Jhaghirpur, P.S.- Doriganj, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Danish Raja, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Doriganj P.S. Case No. 361 of 2023 for the offence under Sections 341, 323, 324, 325, 436, 504/34 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that all the accused, named in F.I.R. came to his house, armed with iron rod and *gadasa* and started assaulting him, his brother and his father. Due to this assault made by the accused Deepak Ram by means of Iron Rod, the left hand of the informant got fractured and the petitioner Vinod Ram assaulted



his father with *gada*, on his head due to which his father sustained cut injury on his head and started oozing out. It is further submitted alleged that during course of assault one of the petitioners namely Deepak Ram set the PALANI (straw made room) of the informant on fire.

4. Learned counsel for the petitioner submits that the petitioners are innocent and has falsely been implicated in this case on account of land dispute and there is no specific allegation has been attributed against the petitioners. Learned counsel further submits that one of the accused namely Lilawati Devi has already filed a case against the informant i.e. case no. 3785/23 and there is no cogent material on record to corroborate the allegation against the petitioner.

5. Learned APP opposes the prayer for bail and submits that there is specific allegation of assault on the petitioners and the injury sustained by the father of the informant is grievous in nature.

6. On perusal of the F.I.R., it clearly transpires that there is specific allegation against the petitioner no. 1 – Deepak Ram and petitioner no. 2 – Vinod Ram of assault by means of iron rod and *gada* on the informant – Indrajeet Kumar, due to which he sustained grievous injury and there is also specific



allegation against petitioner no. 2 – Vinod Ram that he assaulted the father of the informant by means of *gada* on his head due to which he sustained cut injury and blood started oozing out from his head. The witnesses in Case diary (in para 4, 5, 6 and 7) have supported the alleged occurrence and the injury found by doctor on the informant is grievous in nature caused by hard and blunt substance. Lastly, after investigation it appears that chargesheet has been submitted against the petitioners under Section 341, 322, 324, 325, 436, 504, 506 and 534 of Indian Penal Code.

7. Keeping in view the specific allegation against the petitioners which is also supported by the injury report and other materials of Case Diary, I am not inclined to enlarge the above named petitioners on the privilege of anticipatory bail.

8. Accordingly, the present application for anticipatory bail of the petitioners stands rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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