

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44934 of 2016

Arising Out of PS.Case No. -277 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Sanni Kumar Baitha, Son of Sukhan Baitha, resident of Mohalla - Dahiawan
Brahman Toli, P.S. - Chapra Town, District – Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with
Chapra Town P.S. Case No. 277 of 2016 dated 12.06.2016 instituted
under Sections 341/323/324/307/379/504/506/34 of the Indian Penal
Code.

The allegation against the petitioner is of inflicting
knife blow on the abdomen of the informant and others and having
assaulted him.

Learned counsel for the petitioner submits that few
days prior to the alleged incidence, the brother of the petitioner was
brutally assaulted by the informant and others, and to exert pressure,
the present false case has been instituted. It is further submitted that

the injury report discloses that incised wound on abdomen on the left side was 1" x ¼" skin deep and simple in nature. Learned counsel further submits that the compromise has also been arrived at between the parties.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that the incised wound has been found by the doctor and, thus, the allegation being specific and direct against the petitioner of inflicting the same, he cannot be said to be innocent. He further submits that the mere arriving at the settlement between the parties will not entitle the petitioner to be condoned of his act.

Having considered the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer is rejected.

However, in the event the petitioner surrenders before the Court below and seeks regular bail within six weeks from today, the same shall be considered on its own merits, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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