

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45721 of 2015

Arising Out of PS.Case No. -161 Year- 2015 Thana -PUPRI District- SITAMARHI

Manoj Kumar, Son of Nagendra Rai, R/o village - Kusail, P.S.- Pupari,
District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Pd.(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-01-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State as also the

learned counsel for the informant.

The petitioner is apprehending his arrest in
connection with Pupari P.S. Case No.161 of 2015 for allegedly
having committed the offence under Sections 341, 324, 307
and 379 of the Indian Penal Code, pending in the court of the
learned S.D.J.M., Sitamarhi.

Learned counsel for the petitioner submits that the
entire allegation against the petitioner is concocted and the
story that the petitioner tried to attack the informant with
Khukhari cannot be sustained as there is no motive attached to
the said occurrence.

Learned counsel appearing on behalf of the informant submits that the petitioner had attacked the informant with a clear motive of killing him as the petitioner had used *Khukhari* on his neck and also on his shoulder. Furthermore, after *Khukhari* fell down on the floor, the petitioner had also tried to throttle the informant leading to injuries; though simple in nature but on the vital part, which could have endangered his life.

Learned counsel appearing on behalf of the State submits that after perusal of the case diary it has come on the record that the informant was, in fact, attacked by the petitioner and such fact has been supported by the children residing in the school.

Considering the aforementioned facts and circumstances and that there was clear repetitive action by the petitioner leading to the injuries, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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