

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72458 of 2018

Arising Out of PS. Case No.-268 Year-2017 Thana- GARKHA District- Saran

Dudhnath Singh, Son of Late Yamuna Singh, Resident of Village-Madhampur,
P.S.-Garkha, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Sri Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2018 The petitioner seeks bail in anticipation of his arrest in connection with Garkha P.S. Case No. 268 of 2017 dated 25.06.2017 instituted for the offences under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

The petitioner is alleged to have given a *Gupti* (a sharp pointed weapon) blow on the nephew of the informant leading to corresponding injuries on his scalp. The opinion with respect to the injury has not been ascertained.

The learned counsel for the petitioner has intimated this Court that there is a counter version of the occurrence as well and the petitioner also was injured in the aforesaid occurrence. He has annexed a copy of his injury



report in support of his contention that he too has been assaulted.

In any view of the matter, I am not inclined to grant anticipatory bail to the petitioner in view of the fact that there is injury on the scalp of the nephew of the informant.

However, if the petitioner surrenders before the Court below and seek regular bail, the Court below shall take into account that there is counter version of the occurrence, the petitioner also stands injured in the aforesaid occurrence and the nature of injury has not yet been ascertained and shall pass orders in accordance with law without being prejudiced by the fact that the present anticipatory bail petition has not been entertained.

With the aforesaid observation/direction, the petition is disposed off.

(Ashutosh Kumar, J)

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