

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69846 of 2018

Arising Out of PS. Case No.-17 Year-2016 Thana- HILSA District- Nalanda

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Amit Kumar, Son of Mathura Singh, Resident of Village- Varadih, P.S.-
Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the State : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

The prosecution case, in brief, is that in course of irrigating the field, the accused persons surrounded the informant and started abusing him. On protest made by him, the accused persons gave fasuli blow upon the informant as a result of which, the informant sustained bleeding injury.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. Single blow is alleged to have been given by the



petitioner. No repetition of blow has been made. Hence, there was no intention on the part of the petitioner to commit offence u/S 307 of the IPC. Except 307 of the IPC, rest of the offences are triable by the Magistrate.

On behalf of the State and the counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The injury is on the vital part of the body.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Hilsa P.S. Case No. 17 of 2016 is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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