

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27329 of 2018

Arising Out of PS.Case No. -691 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Md. Aftar S/o Md. Afaque Alam @ Md. Afaque, R/o Vill.- Koshkipur,
P.S.- Araria, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-05-2018 The petitioner is apprehending his arrest in connection with Araria P.S. Case No. 691 of 2017, registered for offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 324, 326 and 307 of the IPC were added.

Allegation against the petitioner is of assaulting the informant on his eye causing grievous injury.

It has been submitted on behalf of the petitioner that out and out false and fabricated allegation has been levelled and as a matter of fact the informant was not ready to solemnize the marriage of her daughter with the petitioner and due to which the present false case has been lodged and further though there is allegation that petitioner assaulted him by a big stone on his eye but the informant himself in his statement has stated that the



assault was made by the knife, which itself falsifies the prosecution story. It has also been submitted that there is delay of about one and half months in lodging the F.I.R in the present case.

Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has stated that there is specific allegation against the petitioner of assaulting the informant on his eye causing grievous injury to him and so far delay is concerned, the informant had gone for his treatment at different places out of the State and due to which, the delay has occurred.

Having heard both sides, considering the facts and circumstances of the case, nature of nature of injury, I am not inclined to grant the privilege of anticipatory bail to the petitioner, this application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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