

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36386 of 2018

Arising Out of PS. Case No.-129 Year-2018 Thana- BAKHTIYARPUR District- Patna

Suryamani Kumar, S/o- Akhileshwar Sharma @ Akhileshwar Pd. Sharma,
resident of Village- Bakhtiyarpur, Purab Tola, P.S.- Bakhtiyarpur, District-
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Bakhtiyarpur P.S. Case No. 129 of 2018,
registered for the offence punishable under Sections
147/148/149/447/341/323/324/379/504 of the Indian Penal
Code.

As per the allegation, on account of land dispute nine
accused persons including the petitioner armed with different
weapons, assaulted the informant and caused injury. The Court
below has granted bail to all the persons except the present
petitioner. From the F.I.R., it appears that allegation has been
made against the petitioner to have caused injury to the



informant by knife.

Learned counsel for the petitioner submits that the nature of injury cannot be said to have been caused by knife, but this part has not been examined by the Court below. He further submits that the petitioner has no criminal antecedent, the dispute arose on account of land dispute and there is case and counter case from both the sides, and as such, the petitioner should be granted bail by this Court.

From the F.I.R. it appears that specific allegation has been made against the petitioner to have caused injury to the informant injury by knife.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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