

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41664 of 2018

Arising Out of PS. Case No.-137 Year-2017 Thana- SIKANDARA District- Jamui

Nirmal Kumar Singh @ Chhote Singh @ Nirmal Kumar, Son of Gauri Shankar Singh, Resident of Village- Basaiya, Police Station- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in Sikandra P.S. case no. 137 of 2017 instituted for the offence under Section(s) 147,148,149, 341, 342,504, 506 and 307 of the Indian Penal Code.

It is alleged in the written report that this petitioner with intention to kill the informant assaulted him with rod on the head causing bleeding injury on 19.9.17 at 9 P.M.

Learned counsel for the petitioner has submitted that counter case has been filed by this petitioner for the same date of occurrence dated 19.9.17 at 7 P.M. alleging that this petitioner sustained injury on his head and this case was registered by the police on 19.9.2017 vide Sikandra P.S. case no. 134 of 2017.

The injury report of the petitioner in that case has been



enclosed as Annexure-4 to the supplementary affidavit filed on behalf of the petitioner which shows that he has sustained only superficial injury which is simple in nature.

In the instant case, there is direct allegation against this petitioner of assaulting the informant with iron rod causing serious injury to him. The injury report of the informant of the present case has been annexed as Annexure-3 to the bail petition which shows that informant has sustained four injuries. Out of which injury no.1 is grievous in nature.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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