

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4538 of 2019

Arising Out of PS. Case No.-367 Year-2018 Thana- Ara Nawada District- Bhojpur

Manoj Kumar Prasad, son of Srikant @ Nukul Prasad, Resident of village-
Molabagh, Opposite to S.B. College, Police Station-Ara Nawada, District-
Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Akhileshwar Prasad Singh, Sr. Adv. Mr. Surendra Prasad Singh, Adv.
For the Informant	:	Mr.Madanjeet Kumar, Adv. Mr. Kanchan Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-02-2019 Heard learned Senior Counsel representing the
petitioner and learned counsel representing the informant.

Learned A.P.P. for the State is present but the brief of
the case is not available with him, therefore, he is unable to
assist this Court in this matter.

Petitioner is seeking anticipatory bail in connection
with Ara Nawada P.S. Case No.367 of 2018 registered for the
offences punishable under Sections 341, 323, 324, 307 and
302/34 of the Indian Penal Code.

Learned Senior Counsel representing the petitioner
submits that the petitioner and the informant are co-sharers and
on account of a land dispute only the petitioner has been falsely



implicated in this case. On the alleged dated of occurrence, the petitioner was admitted in Sadar Hospital, Ara.

On the other hand, learned counsel representing the informant submits that there is a specific allegation against the petitioner of causing injury on the vital part of the body of the husband of the informant which proved fatal and he died.

Considering the facts and circumstances of this case, where it appears that there is a specific allegation against the petitioner of causing 'Chura' Injury on the vital part of the body of the husband of the informant as a result whereof he died, this Court is not willing to grant privilege of anticipatory bail to the petitioner.

Learned Senior Counsel representing the petitioner has taken a plea at this stage that the matter is still under investigation and charge-sheet has not been filed against the petitioner.

Be that as it may, in the nature of the allegations, this Court is not willing to grant privilege of anticipatory bail to the petitioner. However, in case, the petitioner surrenders in the learned Court below within a period of four weeks from today and prays for regular bail, his prayer for regular bail shall be considered by the learned Court below on the basis of the



materials which might have been collected in course of investigation of the case without being prejudiced by the order of this Court.

This application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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