

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13352 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- BAUSI District- Araria

MUNNA SAH @ MUNNA KUMAR SAH S/o Late Anantlal Sah Resident of
Village-Basaithi Bazar P.S. Bounsi, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 23-07-2019 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bounsi Police Station Case No. 67 of 2018,
disclosing offences under Sections 341/323/337/307/504/506/34
of the Indian Penal Code.

The allegation against the petitioner, on the basis of
the First Information Report, is that the petitioner threw a stone
from his roof on the informant, causing head injury.

Learned Counsel for the petitioner submits that the
parties are agnates and there was previous dispute regarding
land between them. He further submits that there is delay of 13
days in lodging of the First Information Report. He next submits
that the witnesses have not supported the prosecution story.



Learned Counsel for the informant and learned Additional Public Prosecutor submit that there is specific allegation of assault on the head of the informant by brick/stone by the petitioner, causing head injury to the informant and as per the injury report, the injury has been caused on the vital part of the body and, as such, the petitioner does not deserve privilege of anticipatory bail.

After having heard learned Counsel for the parties and taking into consideration the fact that the injury caused to the informant is on the vital part of her body, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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