

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16291 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- CHARPOKHARI District- Bhojpur

MANISH BAITHA Son of Hira Baitha, Resident of Village-Nagari, Police
Station-Charpokhari, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 20-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Charpokhari P.S. Case No.118 of 2018 registered under Sections 147, 149, 323, 307, 504 and 506 of the Indian Penal Code, pending in the court of the Additional Chief Judicial Magistrate-X, Bhojpur at Ara.

The accusation is that when the informant Baliram Yadav along with his son Manoj Yadav was returning from Thakuri village after attending the marriage ceremony boarding on the motorcycle, six persons named in the F.I.R. including the petitioner stopped the motorcycle and made query about the name of the persons, involved in committing the “Maar-Peet” of



yesterday Barat Party. When the informant and his son showed ignorance, then all of them started to abuse and asked to kill them. Thereafter, they caused injury to the informant and his son through iron rod.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. along with others but there is general and omnibus allegation against him to cause injury to the informant and his son. Moreover, out of the five injuries, as found on the person of the informant, three injuries are simple in nature and regarding the nature of two other injuries, opinion was kept reserved. Similarly, out of the three injuries, as found on the person of Manoj Kumar Yadav, son of the informant, one injury was found simple in nature and regarding the two other injuries, opinion was kept reserved.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance



with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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