

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19857 of 2019

Arising Out of PS. Case No.-191 Year-2018 Thana- BARGAINIA District- Sitamarhi

MAHENDRA RAM Son of Ramjee Ram R/o Village- Masha Narottam, P.S.-
Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 29-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bairgania Police Station Case No. 191 of 2018, disclosing offences under Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner, along with others, assaulted the son of the informant near his stomach by means of knife.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics inasmuch as both the parties belong to the same family and are co-sharers. He further submits that there is case and counter case inasmuch as the petitioner's side has also lodged Bairgania Police Station Case No. 192 of 2018



for the offences punishable under Sections 341/323/324/504/506/34 of the Indian Penal Code. He further submits that the police had made requisition for the injury report from the Primary Health Centre and Sadar Hospital, but in pursuance to that, no injury report was furnished till the matter was finally decided by the learned Sessions Judge.

On the other hand, learned Additional Public Prosecutor submits that in the case diary, the injury report of the Primary Health Centre, Bairgania is available and from perusal of the same, it appears that the injury was caused in the stomach of the injured by sharp cutting weapon and the seriousness of the injury is apparent by the fact that the injured had to get his treatment done for a long time.

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

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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