

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22708 of 2019**

Arising Out of PS. Case No.-767 Year-2017 Thana- KHAGARIA District- Khagaria

HITESH KUMAR Son of Ramwali Sah, Resident of Village - Dhushmuri,  
Bishanpur, P.S.- Muffasil, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate  
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      16-07-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner in the present case seeking anticipatory  
bail in connection with Khagaria (Muffasil) P.S. Case No. 767  
of 2017 registered for the offences under Sections 341, 323, 307  
and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner and the injured are closely related as uncle and  
nephew respectively and the alleged occurrence seems to be an  
outcome of a land dispute.

Learned APP for the State on perusal of the case dairy  
submitted before this Court that there is specific allegation  
against this petitioner that he had caused injury on the head of  
the son of the informant. The injury report which is available in



the case diary shows that at least one of the injuries is grievous in nature.

Considering the facts and circumstances of the case, wherein specific allegation against the petitioner of causing injury and the nature of injury is said to be grievous, I am not inclined to grant privilege of anticipatory bail to the petitioner. The prayer is refused.

In case the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, his prayer of regular bail will be considered on the basis of materials available on the record.

**(Rajeev Ranjan Prasad, J)**

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