

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25129 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- KASIMBAZAR District- Munger

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Santosh Sahani Son of Raja Ram Sahani Resident of Village Lalu Pokhar,
Gorhi Tola, P.S.- Kasim Bazar, District- Munger. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Kasim Bazar P. S. Case No. 264 of 2018 (G.R. No. 3744 of 2018) for the offence punishable under Sections 341, 323, 504, 506 307 and 34 of the Indian Penal Code.

As per the allegation in the F.I.R., on the daughter of Santosh Sahni falling into water and injuring herself, the petitioner is alleged to have hurled abuses and thereafter it is alleged that the petitioner along with others variously armed went and assaulted the informant and other persons. It is further stated that the petitioner assaulted the informant with iron rod on his head causing injuries.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted and the correct version of the incident that took place has been narrated in the F.I.R. lodged by the petitioner himself which has been brought on



record as Annexure -2 to the application. It is submitted that as a result of the altercation, several persons of the petitioner's side were injured and the injury reports have also been brought on record.

Learned APP appearing for the State opposes the application for bail submitting that there is direct allegation against the petitioner of having assaulted Vishal Sahani. Further from perusal of his injury report, it would be evident that the injuries have been found on the scalp and X-ray & C.T. Scan examination have been recommended.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, especially, the fact that the petitioner is alleged to have assaulted the informant which have been corroborated by the injury report, the court is not inclined to enlarge the petitioner on bail.

Prayer for bail is accordingly rejected. The petitioner is directed to surrender in the court below within six weeks.

(Partha Sarthy, J)

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