

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.23985 of 2019

Arising Out of PS. Case No.-325 Year-2017 Thana- BAKHTIYARPUR District- Patna

Kundan Kumar @ Sundar Kumar, aged about 35 years, Gender-Male, Son of Late Siddheshwar Rai @ Singashwar Ray, Resident of Village -Teja Bigha, Police Station Bakhtiyarpur, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 324 and 307 of the Indian Penal Code registered in connection with Bakhtiyarpur P.S. Case No. 325 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of petty quarrel and the occurrence transpired due to sudden provocation. As such, the ingredients of Section 307 of the Indian Penal Code are not made out against the petitioner, who claims clean antecedents. It is further submitted that in any event, the injuries sustained by the son of the informant are simple in nature.

4. Having regard to the nature of accusations, gravity of offence alleged and considering the specific accusation of assault with *fasuli* by the petitioner as also the injury report which does not disclose the nature of the injury rather the patient has been referred to



Department of Surgery Orthopedic Emergency, NMCH for X-Ray,
this Court is not inclined to grant anticipatory bail to the petitioner.
The anticipatory bail petition stands dismissed.

BT/-

(Vikash Jain, J)

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