IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60713 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- NAYAGAON District- Saran

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Krishnandan Sah @ Krishna Sah, Male, aged about 40 years, S/o Late Nandlal Sah, R/o Village- Nayagaon Bhekari, P.S.- Nayagaon, District- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Anant Kumar Bhaskar, Advocate
For the Opposite Party/s : Ms.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

4 18-11-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nayagaon P.S. Case No. 72 of 2018 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

The informant Jagdish Mahto has filed this case against the petitioner Krishna Sah, his wife Urmila Devi and his two brother-in-laws alleging that on 18.05.2018, when he was sitting at his house along with his family members, co-accused Urmila Devi called his son Uttam Kumar and took him at her house where two brother-in-laws of Krishna Sah were present. The accused called Uttam Kumar inside the house but he

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declined and started returning when around 6.30 P.M. Krishna Sah and his two brother-in-laws came running and caught Uttam Kumar and Krishna Sah caused injury with knife in his abdomen.

Learned counsel for the petitioner submits that the petitioner is innocent who committed no offence. Son of the informant was teaching the daughter of petitioner Krishna Sah and he used to make call on the mobile of Krishna Sah which was objected due t o which this case has been filed with false and frivolous allegation. There is no allegation of any overt act against the petitioner. Learned counsel for the petitioner further submits that the injury report shows that the injuries are simple in nature but the victim has been referred to the P.M.C.H. for treatment. The injury report of P.M.C.H. is not enclosed.

There is specific allegation against the petitioner Krishna Sah to have caused injury with knife in the abdomen of Uttam Kumar and the injury report also shows an incised wound on right side of his abdomen who was referred to P.M.C.H., Patna for treatment.

In the facts and circusmtances of the case, I am not

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inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail to the petitioner is hereby rejected. However, the petitioner is directed to surrender before the court below and the learned court below passed the order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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