

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7645 of 2020

Arising Out of PS. Case No.-138 Year-2019 Thana- BARURAJ District- Muzaffarpur

NAND KISHORE SINGH Son of Late Hardeo Singh Resident of Village-
Mani Chhapra, P.S.- Mehshi, District- East Champaran, but wrongly mentioned
in the F.I.R. Village- Andaul, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr.Rina Sinha, APP
For the Informant	:	Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner apprehends arrest in Baruraj PS Case No. 138 of 2019 registered under Sections 302, 120(B) and 34 of the IPC.

The FIR alleges that the informant's son has been assaulted by the petitioner along with other co-accused namely Rajesh Singh, Abhishek Kumar and Bibha Devi near the house of co-accused Rajesh Singh.

Learned Counsel for the petitioner submits that only allegation against the petitioner is that he has caught hold of the son of the informant. The petitioner has no concern with the allegation



and it is a case of false implication as he was not even present at the place of occurrence at the time of occurrence.

Learned APP for the State and the learned Counsel for the informant have opposed the prayer for bail. They have submitted that the second part of the FIR contains allegation regarding catching hold of the deceased. In the earlier part of the FIR there is specific allegation of assault against the petitioner and others. The victim has finally succumbed to his injuries.

Having considered the rival submissions this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

The prayer is rejected.

(Madhuresh Prasad, J)

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