

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8889 of 2020

Arising Out of PS. Case No.-307 Year-2019 Thana- PATEPUR District- Vaishali

AMARJEET PATEL Son of Late Nageshwar Patel R/O - Bardiha Turki, P.S.-
Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Patepur P.S. Case No. 307 of 2019 for the offence registered under Sections 341, 323, 324, 325, 307, 379 and 34 of the Indian Penal Code.

The case of the prosecution in brief is regarding the petitioner herein along with other accused persons keeping bricks on the land of the informant with a view to take illegal possession of the same and when the informant had protested, the petitioner herein had inflicted a sword blow over the head of the informant with the intention to kill him resulting in serious injuries over the head of the informant. Thereafter, the other accused persons are also said to have assaulted the brother of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the



present case and has got no role to play in the alleged incident.

Per contra, the learned A.P.P. for the State has submitted that there is direct allegation of the petitioner having assaulted the informant by means of a sword resulting in serious injuries on the head of the informant which is 2" x 1/2" x bone deep and the same has been described to be incised wound, thus the petitioner does not deserve the privilege of anticipatory bail. It is further submitted that paragraph no. 3 of the present petition would show that the petitioner is accused in one other case.

Having regard to the facts and circumstances, considering the submissions made by the learned counsel for the parties and taking into account the fact that there is specific allegation of the petitioner having given a sword blow on the head of the informant resulting in serious injuries, I do not deem it fit and proper to admit the petitioner to the privilege of anticipatory bail. Hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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