

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11813 of 2020

Arising Out of PS. Case No.-129 Year-2019 Thana- SISWAN District- Siwan

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MITHILESH SINGH @ MITHLESH KUMAR SINGH @ MITHLESH Son
of Sri Ram Pravesh Singh Resident of Village - Sainpur, P.S.- Siswan,
District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Kant, Adv.
For the Opposite Party/s : Mr.Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-08-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Siswan P.S. Case No. 129 of 2019 registered under sections 307, 341, 323, 324 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that the accused persons including the petitioner herein came to her door, called and took away her son Manjeet Kumar Singh. It is further stated that having some apprehension, she asked her husband to follow them with a torch. It is stated that on the order to kill, the accused persons caught hold of the son of the informant and took him down on the ground.



Chandan Singh caught hold of his right hand and the petitioner caught hold of his left hand while Pankaj Singh gave several knife blows in his stomach. It is further stated that on hulla being raised, the petitioner stated that he had not died and more knife blows should be given. The injured son of the informant was taken to the hospital for treatment.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false. The petitioner has been falsely implicated in the case because of land dispute between the parties. While the occurrence is said to have taken place on 22.6.2019, the FIR was registered after a delay of 10 days without any explanation for the same. It is submitted that even as per the FIR there is no allegation of any overt act against the petitioner. The petitioner has no criminal antecedent.

The application is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations as levelled in the FIR against the petitioner of not only being an order giver but also having participated in the occurrence in which the son of the informant sustained knife blows which has been confirmed from the injury report available in the case diary, the Court is not



inclined to enlarge the petitioner on anticipatory bail.

The application for anticipatory bail stands rejected.

(Partha Sarthy, J)

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