

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17944 of 2020

Arising Out of PS. Case No.-148 Year-2019 Thana- AWTARNAGAR District- Saran

ATUL SINGH S/o Shiv Vinod Singh @ Rangwaj Singh Resident of Village-
Dhanoura Bazar, P.S.- Awtarnagar, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection
with Awtarnagar P.S. case No.148 of 2019 registered under
Sections 147, 341, 379, 324, 326, 504, 302 of the Indian Penal
Code, pending in the court of A.C.J.M. XI, Saran at Chapra.

Allegation is that the accused persons including the
petitioner having knife in their hands with a view to kill the son
of the informant stabbed the knife and snatched money and
golden chain from him. The informant reached at the place of



occurrence and found his son badly injured. He took him to the Government Hospital and from there injured was taken to PMCH for treatment but the doctor declared him dead.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The alleged dated of occurrence is 16.08.2019 and the case was instituted on 18.08.2019 and the postmortem was conducted on 17.08.2019. Prior to institution of the present case, the postmortem was conducted. Same makes the prosecution case doubtful.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Four persons including the petitioner are said to have assaulted the deceased with knife. There are as many as nine injuries on the body of the deceased caused by sharp cutting weapon. The postmortem report corroborates the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and



pray for regular bail, same shall be considered on its own merit
without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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