

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.28598 of 2020**

Arising Out of PS. Case No.-105 Year-2020 Thana- KHAIRA District- Saran

Kundan Kumar Pandit @ Kundan Pandit, Son of Bhageran Pandit, Resident of Village- Banni, P.S.- Khaira (Nagara), District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Amit Kumar Rakesh, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Khaira (Nagra) P.S. Case No. 105/2020 registered for the offences punishable under Sections 341, 323, 324, 307, 447, 354, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case by the informant. Learned counsel submits that as per prosecution version, this petitioner gave a knife blow on the head of the informant causing cut injury. The petitioner has got not criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein this Court has noticed that there is a specific



allegation against the petitioner of giving knife injury on the forehead and head of the informant, there being two injuries on the vital part of the body and this being a prayer for anticipatory bail, I am not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

Learned counsel for the petitioner has submitted that the injuries found on the head of the informant are simple in nature, this petitioner is nephew of the husband of the informant and both are living in the same house, in the opinion of this Court, these are the submissions which may be advanced before the learned court below and in case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered by the learned court below keeping in view the submissions including the above mentioned submissions of the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

