

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.28537 of 2020**

Arising Out of PS. Case No.-157 Year-2019 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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MUNCHUN KUMAR S/o Bijendra Sao R/o Village- Narauli, P.S.- Salimpur,
District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

2 04-12-2020 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner, in the present case, is seeking pre-
arrest bail in connection with GRP Bakhtiyarpur P.S. Case No.
157/2019 registered for the offences punishable under Sections
324, 307, 504 and 34 of the Indian Penal Code, pending in the
court of learned A.C.J.M. Railway, Patna.

As per prosecution story, on 17.10.2019 when the
informant along with his brother were sitting on the platform
and waiting to board a train, the petitioner and one Anandi
Kumar came there with iron rod and knife in their hand. This



petitioner attacked by iron rod on the head of the informant, blood was oozing from the head of the informant and when villagers came there, both of them fled away. The reason of this occurrence was a dispute between the children a month ago.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is a land dispute between the parties. Learned counsel submits that from perusal of the injury report the informant has received injury which is simple in nature caused by hard and blunt substance, however petitioner has got no 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 there is specific allegation that this petitioner had assaulted the informant by an iron rod in his hand and due to said assault on the head the informant suffered injury and started bleeding, in the nature of the weapon used and the fact that the assault was made on the vital part of the body, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

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

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 on it's own merit
without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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'.

