

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7301 of 2020**

Arising Out of PS. Case No.-133 Year-2019 Thana- MIRGANJ District- Purnia

=====

Faltu Yadav, Male, aged about 35 years, Son of Late Batahu Yadav Resident  
of Village - Dharari, P.S.- Mirganj, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the State : Mr. Ijendra Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 15-07-2021**

The matter has been heard *via* video conferencing.

2. Heard Mr. Ajit Ranjan Kumar, learned counsel for the  
petitioner and Mr. Upendra Kumar, learned Additional Public  
Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with  
Mirganj PS Case No. 133 of 2019 dated 23.10.2019, instituted  
under Sections 341, 324 and 307 of the Indian Penal Code.

4. The allegation against the petitioner is of attack on  
the informant's head by *Garasi* resulting in injuries, the reason  
being that he used to have bad eye on the wife of the informant.

5. Learned counsel for the petitioner submitted that  
though there is allegation of attack on head by *Garasi* but the



same has not been said to be repeated and four injuries have been found on the person of the informant. Thus, it was submitted that he has been falsely implicated. It was further submitted that the petitioner has no criminal antecedent.

6. Learned APP, from the case diary, submitted that there is no reason for any false allegation and there is allegation only against one person who has been identified i.e., the petitioner. It was submitted that the injuries have been caused on vital parts i.e., three on the head and one on the neck and, thus, the intention of the petitioner was very clear of causing serious harm to the informant but somehow, he was saved. It was further submitted that there is absolutely no reason for the informant to falsely implicate the petitioner at the cost of saving the real culprit who had made such brutal attack on him.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the application stands dismissed.

9. However, in view of submission of learned counsel for the petitioner, it is observed that if the petitioner appears before the Court below and prays for bail, the same shall be



considered on its own merits, in accordance with law, without  
being prejudiced by the present order.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

|                 |  |
|-----------------|--|
| <b>AFR/NAFR</b> |  |
| <b>U</b>        |  |
| <b>T</b>        |  |

