

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29986 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- JANTA BAZAR District- Saran

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SIDDHESHWAR PRASAD @ ABHILAKH Son of Late Ramdev Prasad @
Ramdev Sah Resident of Village- Basahi, Police Station- Janta Bazar,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
324, 307, 34 of the Indian Penal Code.

Prosecution case is that on 17.01.2020 while the
informant was on his roof, an altercation took place between the
petitioner and the informant. Thereafter, on the order of Vijay
Prasad (contractor), petitioner assaulted the informant by means
of rod upon his head and shoulder due to which he received
injury and fell down. Thereafter, the local persons brought him
to Primary Health Centre Janta Bazar.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He submits that there is land dispute between the parties. He submits that the case is counter blast of Janta Bazar P.S. Case No. 08 of 2020 under Section 341, 323, 379, 34 of the Indian Penal Code lodged by Sudha Devi wife of the petitioner against the informant and others and only save their skin the informant lodged the present case. He submits that the allegation against the petitioner who assaulted the informant by means of rod upon his head and as per injury report the doctor found the injury no. 1 sustained in grievous in nature and rest of injuries sustained simple in nature caused by hard blunt substance. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Janta Bazar P.S. Case No. 07 of 2020 pending before the court of the learned A.C.J.M.-V, Chapra at Saran.

Accordingly, the application is dismissed. However, petitioner is at liberty to surrender before the learned court below and pray for regular bail. The learned court below is directed to consider the regular bail application of the petitioner



on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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