

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32331 of 2020

Arising Out of PS. Case No.-307 Year-2019 Thana- PATEPUR District- Vaishali

AMARJEET PATEL Son of Nageshwar Patel Resident of Village - Bardiha
Turki, Police Station - Patepur in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of anticipatory bail in connection with Patepur P.S. Case No. 307 of 2019 for the offence registered under Sections 341, 323, 324, 325, 307, 379/34 of the Indian Penal Code.

The case of the prosecution in brief is that when the petitioner herein along with other accused persons were keeping bricks on the land of the informant, with a view to take illegal possession of the same, the informant had protested, whereupon the petitioner herein had inflicted a sword blow over the head of the informant with the intention to kill him resulting in serious injuries being inflicted over the head of the informant. Thereafter, the other



accused persons are also stated to have assaulted the brother of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and the fact is that the injuries sustained by the injured person is simple in nature.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail and has submitted that even if the injury is simple the fact remains that the petitioner had inflicted a sword blow on the head of the informant which in itself is a serious offence and moreover the petitioner is an accused in one other case.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the materials available on record, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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