

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40637 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

Hari Kishore Sarraf @ Hari Kishore Sah, S/O Radhe Sah, R/O Village-
Maghar, P.S.- Bhagwanpur Hatt, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar- Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-06-2021 Heard Md. Anis Akhtar, the learned Advocate for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bhagwanpur Hatt P. S. Case No.30 of 2020, instituted for the offences under Sections 147, 148, 323, 324, 325, 307, 379, 354, 504, 506 of the Indian Penal Code.

At the outset, the learned counsel for the petitioner has submitted that from the perusal of the F.I.R. itself, it would appear that the occurrence arose out of a small dispute and that the parties belong to the same village.

Apart from this, it has been submitted that though



the injury which is said to have been caused at the instance of the petitioner is grievous, but there is counter-version of the occurrence also in which there is no reference of any one of the injuries on the side of the defence, thus, making the prosecution case highly suspect.

Apart from this, it has been submitted that there has been a day's delay in lodging the F.I.R. On these grounds, Mr. Akhtar, the learned Advocate for the petitioner has sought anticipatory bail for the petitioner.

After having heard the learned counsel for the petitioner, I am not inclined to grant anticipatory bail to the petitioner for the sole reason that he is the author of an injury on the informant which has been opined to be grievous.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall take into account the genesis of the occurrence, counter-version of the case and the background facts and shall pass orders in accordance with law without being prejudiced by the fact



that the present anticipatory bail application has not been entertained by this Court.

The application stands disposed off.

(Ashutosh Kumar, J)

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