

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40803 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Prem Choudhary @ Prem Kumar Chaudhary Son of Late Ramchandra Chaudhary Resident of Village - Sankh Rajmahla, P.S.- Muffasil, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 13-12-2021 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as the learned APP for the State.

The petitioner apprehend his arrest in connection with Muffasil P.S. Case No. 85 of 2020 registered for the offences punishable under Sections 341, 323, 324, 448, 504, 307, 354, 34 of the Indian Penal Code.

Sushila Devi is the informant. As per FIR, the petitioner is the *devar* of the informant, in absence of her husband he entered into her house and inflicted *hasuli* blow on the hand of the son of the informant, he sustained cut injury on his palm. Further allegation against the petitioner is that he assaulted the daughter of the



informant namely Suman Kumari with his legs and a rod. Suman Kumari was pregnant at that time and the bleeding started due to that assault.

Learned counsel for the petitioner has submitted that the FIR has been lodged after two days of the occurrence. It is further submitted that none have become injured as such the allegation of assault is false and frivolous.

On the other hand, learned APP for the State has opposed the prayer for bail of the petitioner. He has submitted that the FIR itself shows that the petitioner assaulted the daughter of the informant namely Suman Kumari with his legs and rod during her pregnancy which caused profuse bleeding.

In these circumstances, it is not a fit case for anticipatory bail.

Accordingly, this anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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