

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.320 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- BHANGWANPUR HAT District-
Siwan

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BHIM KUMAR @ SUDHANSHU KUMAR son of Surendra Yadav Resident
of Village- Bhedawaliya, P.S.- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr. Anand Kishore Chaudhary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-06-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Bhagwanpur Hat P.S. Case No. 122

of 2020 instituted for the offences under Sections 147, 148,

149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

According to the prosecution case, the accused

persons including the petitioner assaulted the members of

the prosecution party for playing cricket in a field even when

they were stopped from doing so. The petitioner is said to



have assaulted Mohan Kumar by means of a spade leading to grievous injury on his person.

Learned counsel for the petitioner has submitted that there is counter version of the occurrence and the prosecution side are guilty of harassing the women of the house of the accused persons of the present F.I.R. It has also been submitted that accused persons of the counter case have been released on bail and that the petitioner is a student who has been made accused in this case only with bad motive.

However, regard being had to the fact that the petitioner is said to have caused grievous injury on the victim, I am not inclined to grant anticipatory bail to him.

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 that the occurrence arose out of a small dispute over playing the cricket on a field and that the petitioner is a young person with no criminal antecedent and shall pass order in accordance with law, without being prejudiced by



the fact that the present petition for grant of anticipatory
bail has not been entertained.

(Ashutosh Kumar, J)

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