

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2876 of 2021

Arising Out of PS. Case No.-232 Year-2017 Thana- RAJPUR District- Buxar

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DILMANI CHOUBEY SON OF SRIKANT CHOUBEY RESIDENT OF
VILLAGE - HETHUA, P.S. - RAJPUR, DISRTICT - BUXAR

... .. Petitioner/s

Versus

The State of Bihar BIIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 16.03.2020 in connection with Rajpur P.S. Case No. 232/17 registered for the offences punishable under Sections 341/323/307/379/504/506/34 of the Indian Penal Code.

As per the prosecution case, the petitioner is alleged to have inflicted iron-rod on the head of brother of the informant as a result, he sustained head injury.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case as there is case and counter case between the parties and the injuries are simple in nature. It is further submitted that petitioner has got no criminal antecedent and he is in custody since 16.03.2020.



However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that keeping in view the fact that petitioner is the author of the head injury inflicted with iron-rod on the brother of the informant and the injury has been found to be grievous in nature, the petitioner does not deserve the privilege of bail.

Considering the nature of allegation levelled against the petitioner that he has assaulted the brother of the informant on his head with iron-rod causing grievous injury, I am not inclined to grant bail to the petitioner at this stage. It is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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