

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3738 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- DHANARUA District- Patna

HARIOM KUMAR Son of Mukesh Kumar @ Guddu Resident of Village-
Damrichak, P.S.- Dhanarua, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in Dhanarua P.S. Case No. 127 of 2020 initially registered under Sections 341, 323, 307, 427, 504, 506, 120(B)/34 of the Indian Penal Code, in which, later on Section-302 of the Indian Penal Code was also added.

Allegedly, in the backdrop of petty feud, the informant's father was assaulted by the accused persons, as a result of which, he received injuries and in course of treatment, he succumbed to the injuries..

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. As per allegation,



general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is case and counter case between the parties.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner along with other accused persons assaulted the deceased with brick. From perusal of the postmortem report, it appears that there are four external injuries on the body of the deceased caused by hard and blunt substances. The postmortem report corroborates with the allegation made in the FIR.

Considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail to the petitioner is rejected.

If the petitioner surrenders before the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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