

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8469 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- KOTWALI District- Munger

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Rupesh Kumar @ Pranav, aged about 34 years, male, S/o Raj Kumar Bhagat,
R/o Mohalla- Basudeopur, P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2021 Heard Mr. Indu Bhushan, 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 Kotwali P.S. Case No. 27 of 2020,
dated 20.01.2020, instituted for the offences under Sections
448, 341, 323, 379, 307, 504 and 506/34 of the Indian
Penal Code.

The accusation against the petitioner is of having



assaulted the informant on her head by means of an iron khanti. Though the nature of injury has not been assessed up-till now, but the dimension of the injury discloses that it is on the vital portion of the body.

The learned counsel for the petitioner has submitted that all his family members have been made accused in this case by her own aunt. There is a family dispute and the mother of the petitioner has also filed a case against the informant and others. It has also been canvassed that even the persons of young age of the family of the petitioner have been made accused in this case. The injury on the informant is not in consonance with the ocular testimony as assault with a khanti would have caused more serious injury than what the informant has received.

Be that as it may, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner is, accordingly, rejected.

However, if he surrenders before the Court below and seeks bail, the Court below, after taking into account all



the above-noted facts, namely, that there is a family dispute between the parties and all the members of the family of the petitioner have been made accused in this case, shall pass order in accordance with law on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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