

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6399 of 2022

Arising Out of PS. Case No.-171 Year-2021 Thana- BAISI District- Purnia

AKHILESH KUMAR DAS @ AKHILESH KUMAR Son of Upin Kumar
Das Resident of Village- Malhariya, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 504, 506, 379 and 354(B) of the Indian Penal Code.

The allegation against the petitioner is of having bad intention towards the informant and thereafter of abusing and assaulting her by giving knife blow on her hand.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to local politics and ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is general and omnibus in nature. It is submitted that no witness has supported the prosecution case during investigation. It is further submitted that petitioner and informant are co-sharer of Mango orchard and due to a dispute of division of Mango, the present petitioner has been implicated in this case. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the statement of the victim was recorded u/s 164 Cr.P.C. and she has supported the prosecution case in her statement.

Having regard to the facts and circumstances of the case, considering the statement of the victim, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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