

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8765 of 2022

Arising Out of PS. Case No.-211 Year-2021 Thana- BIRAUL District- Darbhanga

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KUNDAN SAH @ KUNDAN PRASAD SAHU Son of Vishwanath Sahu
Resident of Village - Bairampur (Mirzapur), P.s.- Biraul, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Adv

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2022 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 apprehend his arrest in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

The allegation against the petitioner alongwith other accused members assaulted the informant by means of several weapons due to which he sustained grievous injuries.

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 at the instance of his enemies. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. The petitioner has not been apprehended on the spot and has no concern with the co-accused persons. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that there is a specific allegation against the petitioner to assault the informant by means of farsa on his head.

Having regard to the facts and circumstances of the case, since injuries are grievous in nature, I am not inclined to grant bail to the petitioner. 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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