

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25690 of 2021

Arising Out of PS. Case No.-459 Year-2020 Thana- HARSIDHI District- East Champaran

BINOD KUMAR PATEL@ BINOD PATEL@ BINOD RAUT Son of Ram
Naresh Raut Resident of Village - Dhawahi, P.s.- Hersidhi, Distt.- East
Champaran. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Harsidhi P.S. Case no. 459 of 2020 instituted for the
offence punishable under Sections 341, 323, 324, 307, 379,
354(B), 504 and 506 of the Indian Penal Code and later on
Section 302 has been added.

As per allegation in the FIR, several accused persons
including the petitioner, armed with deadly weapons, have



abused and assaulted the informant and his family members with an intention to kill them. Informant has received sharp cut injury by knife in the left side of the body, due to which he died during course of treatment.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. There is case and counter case. The occurrence is stated to have taken place at the gate of police station but still there is delay of two days in lodging the FIR, which falsifies the case of the prosecution.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner has given knife blow to the informant and his grand-son.

Having heard learned counsel for the parties and considering the fact that there is direct allegation of assault against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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