

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18314 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- GAMAHARIYA District- Madhepura

BIJAY MUKHIYA S/o Ramkishun Mukhiya Resident of Village- Kamalghari,
P.S.- Gamhariya, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 307, 379 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with other accused persons are alleged to have assaulted the informant with Lathi and iron rod on his head. It is further alleged that this petitioner along with Sri Ram Mukhiya assaulted Bhupendra Mukhiya with Fatha causing injury on his head.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is case and counter case in which both sides sustained injuries.



Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that there is specific and direct allegation against this petitioner of assaulting the informant and his brother, Bhupendra Mukhiya. The doctor has found four injuries on the person of informant and four injuries on the person of Bhpendra Mukhiya and some of the injuries are simple and some of the injuries are grievous in nature.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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