

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30580 of 2021

Arising Out of PS. Case No.-888 Year-2020 Thana- NAWADA District- Nawada

MD. NAJISH Son of Md. Mokhtar @ Md. Mokhtar Shak Resident of Village-
Gondapur, P.S.- Nagar, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in Nawada Nagar P.S.
Case No. 888 of 2020 registered under Sections 447, 448, 341, 323,
324, 326, 307, 504, 34 of the Indian Penal Code.

Allegedly, the accused persons came to the house of informant
and started beating to the cow standing outside his house. On
objection, an altercation took place between the parties and in
consequence thereof, the accused persons started beating the
informant and abusing filthy language. The informant's son was also
beaten. The petitioner is said to have given knife blow to the
informant's son which caused chest injury to him.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The alleged occurrence is said to have taken place for a petty reason. There was no intention on the part of the petitioner to commit murder of the victim. The alleged occurrence is said to have taken place in a spur of moment. As per allegation, at best, it is an offence under Section-325 of the Indian Penal Code

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. From perusal of the injury report, it appears that the injury caused, is dangerous to life.

Considering the nature of injury, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudice by this order.

(Sudhir Singh, J)

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