

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23387 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- GAURICHAK District- Patna

Dharmendra Kumar Son Of Sahdev Yadav Resident Of Village - Mahjani,
P.S.- Gaurichak, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-12-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 314, 323, 379, 307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that an oral partition was done between the informant and the petitioner's side and both the parties took possession of their part of share. However, the petitioner, in order to grab informant's share came along with other accused persons on 26.07.2021 and shot four rounds of firing



upon the informant's side. The petitioner also assaulted the wife of the informant with bricks, as a result of which, she sustained injuries on her head.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. The petitioner and the informant are agnates and land dispute is going on between the parties. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation against the petitioner that he assaulted to the wife of the informant. The injury report of the wife of the informant is annexed with the case diary which suggests that she sustained injuries on temporal region of scalp, stitched wound over forehead, bruise over right zygomatic process, abrasion over right hand and the



doctor opined undisplaced fracture of parietal bone right side with overlying scalp hematoma, small haemorrhagic contusion seen in left temporal lobe. One of the injuries have been found to be grievous in nature.

In the facts and circumstance of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer for grant of anticipatory bail to the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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