

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27677 of 2022

Arising Out of PS. Case No.-93 Year-2020 Thana- BALTHAR District- West Champaran

Nitesh Kumar Son Of Nand Kishore Prasad R/O Village- Bhawari, P.S.-
Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Balthar P.S. Case No. 93 of 2020 for the offences under
Sections 147, 148, 149, 341, 323, 307, 354B, 379, 325 and 504
of the Indian Penal Code.

As per the allegation in the FIR, the informant has
alleged that the petitioner amongst other assaulted which hit the
nose of his brother and as a result of which the bone of the nose
was broken. The further allegation is of assault to other accused
persons also.

Learned counsel for the petitioner submits that there is



case and counter case in which injuries have been inflicted on the petitioner's side also.

Per contra, learned APP for the State submits that there is direct allegation of assault resulting into broken nose of the informant's brother. He further submits that the FIR was lodged on 1st of October, 2020 and the petitioner evaded arrest for one and half years and finally came into judicial net only in March, 2022.

Considering the aforesaid facts as also that the injury inflicted by the petitioner has been found to be grievous in nature, this Court for the present is not inclined to grant him bail which is accordingly, rejected.

(Rajiv Roy, J)

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