

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28437 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- TRIVENIGANJ District- Supaul

Mahesh Sah @ Mahesh Kumar Son of Ramtahal Sah Resident of Village -
Malahnarama Ward no.01, P.s.- Tribeniganj, Distt.- Supaul.

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Tribeniganj P.S. Case no. 198 of 2021 instituted for the offence punishable under Section 144, 149, 341, 323, 307 of the Indian Penal Code .

As per allegation in the FIR, while the son of informant was returning towards his house after attending the nature's call, the accused persons along with petitioner being armed with different weapons encircled and brutally assaulted him. It is further alleged that on order of co-accused Ramtahal Sah, the petitioner assaulted on the head of informant's son by means of axe due to which he sustained cut wound on his head.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. It is further submitted that both parties are neighbours and there is a land dispute between them. A compromise petitioner has been filed which is mentioned in para 10 of the petition. Petitioner has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the injury sustained by the informant's son is grievous in nature.

Having heard learned counsel for the parties and consideration that the nature of injury is grievous caused by axe, 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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