

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38418 of 2021

Arising Out of PS. Case No.-49 Year-2021 Thana- PALIGANJ District- Patna

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Birbal Kumar Son of Mala Chaudhary Resident of Village - Mahabalipur
(Indranagar), P.S. - Paliganj, Dist. - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Paliganj P.S. Case No.49 of 2021, registered for the offences punishable under Sections 41, 323, 452, 307, 325, 354, 504 and 34 of the Indian Penal Code.

The petitioner is said to have entered into the house of the informant with two unknown persons in the night. The accused persons took away the son of the informant and assaulted him by means of iron rod. The accused persons were armed with pistols and iron rod. The son of the informant got injuries on both hands. The petitioner assaulted the son of the informant on his head by butt of pistol.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation of assault against this petitioner and the injury sustained by the injured is grievous in nature.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J.)

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