

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30667 of 2022

Arising Out of PS. Case No.-467 Year-2021 Thana- DESARI District- Vaishali

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DHARMENDRA KUMAR @ DHARMENDRA KUMAR RAY @
DHARMENDRA PRAKASH SON OF RAM PRIT RAY RESIDENT OF
VILLAGE - NAYAGAON BARIYARPUR PS - DESRI DIST - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP
Mr.Surendra Kishore Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

As prayed for, learned counsel for the petitioner is
permitted to make necessary correction in para-1 of this
application, in course of the day.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with Desri
P.S. Case No.467/2021, registered for the offence punishable u/s
341, 323, 379, 307, 504, 506/34 of the IPC.

Allegedly, on the order of co-accused Ram Prit Ray,



petitioner is said to have assaulted by means of iron rod on the head of informant's mother. It is alleged that thereafter, all the accused persons also assaulted her by lathi, danda and iron rod. When his father came for rescue, he has been assaulted.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case merely on suspicion. No such occurrence, in the manner as alleged, has ever taken place. The parties are agnates. It is submitted that this case is counter blast of Desri P.S. Case No.468/2021, registered by the petitioner against the informant and his family members. It is further submitted that on the alleged date of occurrence, the informant and his family members have brutally assaulted the petitioner's side, due to which they have also sustained injuries. Petitioner has one criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that there is specific allegation against the petitioner to assault the mother of informant by means of iron rod on her head and the injury inflicted by him is grievous in nature, as per Annexure-3 series. The injured has lost vision of one eye.

Considering the facts and circumstances of the case, I am



not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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