

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40291 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

GANESH SHARMA S/O BOUBE LAL SHARMA R/o village- Borwa, P.S.-
Ghanshyampur, Distt.- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 354, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with other accused persons have indiscriminately assaulted the informant's side by means of deadly weapons.

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. No such occurrence, in the



manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries. There is an admitted land dispute between the parties. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the petitioner is also involved in the alleged offence. The informant has sustained grievous injuries.

Having regard to the facts and circumstances of the case, since the injury of the informant is grievous in nature, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is hereby rejected.

The instant application is disposed of.

However, petitioner is directed to surrender before the learned Court below and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, considering that the petitioner is a senior citizen and the petitioner's side have also sustained injuries.

(Anjani Kumar Sharan, J)

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