

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39881 of 2022

Arising Out of PS. Case No.-454 Year-2021 Thana- WAJIRGANJ District- Gaya

SHIV KUMAR PRASAD Son of Nemdhari Mahto Resident of Village -
Ukhara, P.S.- Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mrigendra Kumar
For the Opposite Party/s :	Mr. Akhileshwar Dayal
	Mr. Gajendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in connection with Wazirganj P.S. 454 of 2021, case registered for the offence punishable under sections 323, 324, 307, 354, 504, 379 and 34 of the Indian Penal Code.

Allegedly, the petitioner alongwith other co-accused persons assaulted the informant's side by means of several weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have 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 levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that the petitioner and informant are family members and both sides have sustained injuries. There is no specific overt act against the petitioner. Petitioner has one criminal antecedent, in which he has been acquitted vide judgment dated 19.12.2016.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the injuries sustained by Sanjay Kumar is grievous in nature.

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

This instant application is dismissed.

(Anjani Kumar Sharan, J)

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