

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40086 of 2022

Arising Out of PS. Case No.-29 Year-2020 Thana- RAJEPUR District- East Champaran

Arvind Kumar @ Arvind Sah Son Of Manoj Sah Resident Of Village -
Lahladpur, P.S.- Rajepur, District - East Champaran, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2022 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 Rajepur P.S. Case no. 29 of 2020 instituted for the offence punishable under Sections 341, 323, 307, 379, 504, 34 of the Indian Penal Code.

The prosecution story is that the co-accused persons namely, Manoj Sah and Viswanath Sah took the informant and his son on pretext of some work and as they reached there, the petitioner along other co-accused persons started to assault them by means of axe due to which they sustained injuries.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. A statement has been made in para 3 of the petition that the petitioner has got no criminal antecedent. Previously, there was a dispute regarding playing vulgar song between the informant and the petitioner due to which he has falsely been made accused in this case.

Learned APP appearing for the State has opposed the prayer of bail and submitted that it is apparent from injury report as well as impugned order that the injury sustained sharp cut injuries by informant and his son on their head which are vital part of the body.

Having heard learned counsel for the parties and taking into consideration that injury sustained by injured is grievous in nature, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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