

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49922 of 2021

Arising Out of PS. Case No.-867 Year-2020 Thana- MADHAURAH District- Saran

Chandan Singh @ Chandan Kr. Singh Son Of Sri Ashok Singh Resident Of
Village - Vikrampur, P.S.- Marhowra, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 06-07-2022 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 three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 324, 307, 504, 302 of the Indian Penal Code.

Petitioner and other accused persons are said to have
assaulted the informant and his father on account of dispute of
selling of liquor and later father of the informant died in course
of treatment.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and has been falsely



implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that there is case no specific overt act against the petitioner. The main allegation of assault is on co-accused Kariman Singh who allegedly assaulted on the head of the deceased by farsa. He further submits that petitioner has one criminal antecedent as stated in para-3 of supplementary affidavit.

Learned APP for the State opposes the prayer for bail and submits that the cause of death has been reported due to assault by heard and blunt substance.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Marhowrah P.S. Case No. 867 of 2020.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below in accordance with law considering the fact that there is no specific overt act against the petitioner.

(Anjani Kumar Sharan, J)

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