

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4064 of 2021**

Arising Out of PS. Case No.-46 Year-2020 Thana- BISHUNPUR District- Darbhanga

LALAN KUMAR SINGH son of Late Jai Narayan Singh Resident of Village-
Rampur Dih, P.S.- Bisanpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

4 20-01-2022 Due to the third wave of COVID-19 Pandemic, the matter
is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Bisanpur P.S.
Case No. 46 of 2020 registered under Sections 341, 323, 325, 307,
387, 504 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the petitioner
assaulted the informant with farsa on his head due to which he
sustained injuries.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The alleged occurrence is said to have taken place on 22.5.2020 for which ferdbeyan was recorded on 24.5.2020. The delay has not been explained by the prosecution. The informant is a Mukhiya and for political reason, the petitioner has been implicated in the present case as he used to protest against him.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is direct allegation of assault on the head of the informant. The injury report also corroborates with the allegation of assault.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner in connection with Bisanpur P.S. Case No. 46 of 2020. Prayer is rejected. However, if the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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