

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51393 of 2021

Arising Out of PS. Case No.-381 Year-2020 Thana- PATORI District- Samastipur

PINTU RAI Son of Ghutar Rai Resident of Village - Bishnupur, Paharpur,
P.S.- Patori, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Patori P.S. Case No.381 of 2020, registered for the offences punishable under Sections 147, 149, 307, 323, 341, 379, 504 and 506 of the Indian Penal Code.

The petitioner is said to have assaulted the informant on his head by means of *farsa* causing head injury to him. It is further alleged that when the son of the informant came to save him, the petitioner along with other accused persons also assaulted him and snatched a chain made of gold from the neck of the son of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one criminal



antecedent as stated in paragraph-3 of the bail application. There is land dispute between the parties. It is further submitted that the injury is simple in nature.

Learned counsel for the State opposed the prayer for anticipatory bail of the petitioner and submitted there is direct and specific allegation against the petitioner that due to land dispute, the petitioner assaulted the informant on his head by means of farsa causing laceration on occipital area on head 6x5x0.5 cm deep cutting mark which is vital part of the body.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, if petitioner surrenders before the learned court below within a period of four weeks from today and seeks regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order considering the fact that the injury is simple in nature.

(Anjani Kumar Sharan, J.)

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