

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41764 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- CHAUSA District- Madhepura

MITHILESH RAY @ MITHILESH KUMAR RAY S/o Phulo Ray R/o
village- Chirauri, P.S.- Chausa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 341, 323, 325, 354B,
504, 506, 379/34 of IPC.

Allegedly, the petitioner assaulted the informant and her
family members by means of several weapons.

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. There is no recovery from the conscious possession of the petitioner. The allegation against the petitioner is that he assaulted the informant which hit in her hand which is non-vital part, but the informant has not brought any injury on record. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that from the perusal of the impugned order it is clear that there is specific allegation against the petitioner to assault the informant by means of rod causing fracture in her hand.

Having regard to the facts and circumstances of the case, 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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