

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45816 of 2022

Arising Out of PS. Case No.-296 Year-2021 Thana- WAJIRGANJ District- Gaya

VISHWANATH MALAKAR Son of Late Mani Malakar Resident of Village -
Khushiyaal Bigha, Kenar Paharpur, Police Station- Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2022 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 341, 323, 308, 354, 504, 379 and 34 of the Indian Penal Code pending in the Court of learned A.C.J.M. 1st Gaya.

Petitioner along with other co-accused persons is said to have assaulted the informant by means of iron rod.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He submits that there is case and counter case between the parties and both sides have sustained injuries. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner are serious in nature, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is specific allegation against the petitioner to assault the informant by means of iron rod and injury found upon the victim is grievous in nature, I am not inclined to enlarge the petitioner on bail in connection with Wazirganj P.S. Case No.296/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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