

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40740 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- BHORE District- Gopalganj

SANTOSH SINGH SON OF SUDAMA SINGH, RESIDENT OF VILLAGE
- TILAK DUMAR, P.S. - BHOREY, DISTRICT – GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Naresh Prasad
For the Opposite Party/s :	Mr.Harendra Prasad
	Mr. Rajesh Roy

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 24-01-2022 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State through video conferencing.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

The petitioner apprehends his arrest in connection with Bhorey P.S. Case No. 312 of 2019 registered for offence punishable under sections 341, 323, 307, 302 and 504/34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that although six injuries have been found on the person of the deceased as per the *post mortem* report, but only one injury is on the vital part of his head and it cannot be said as to whom of the



accused persons assaulted him. He has also submitted that six years back, the deceased had undergone the surgery of brain and his physical condition was not good.

On the other hand, the learned counsel appearing for the informant has submitted that there is allegation against the present petitioner that he along with other accused persons assaulted the deceased and six injuries have been found on the person of the deceased as per the *post mortem* report. The learned counsel for the informant has also submitted that the present petitioner not only assaulted the deceased, but also assaulted the wife of the deceased who came to rescue him when he was being badly assaulted and the wife of the deceased was also become injured.

Considering these facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner and accordingly his prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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