

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46165 of 2022

Arising Out of PS. Case No.-130 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Santosh Rai @ Santosh Kumar Rai Son Of Dhrupdev Ray R/V- Khamauri,
P.S- Gb Nagar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the
offence punishable under Sections 307, 506 and other allied
sections of the Indian Penal Code.

As per prosecution case, specific allegation against
this petitioner is of assaulting Rameshwar Rai by means of lathi
as a result of which, he became injured and doctor has found
grievous injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the informant lodged
this case belatedly after thought. That present application has
been lodged without explaining the assault made to the



petitioner. The case lodged by the petitioner is earlier in point of time and only with a view to save their skin this false case has been lodged against the petitioner. Injury allegedly caused by this petitioner to the informant is on the leg which is not a vital part of the body.

Learned counsel for the State opposes the prayer for bail application submitting that from bear perusal of the FIR it is apparent that there is specific accusation against the petitioner of causing assault to Rameshwar Rai and doctor has found the injury to be grievous in nature.

Considering the nature of accusation and grievous nature of injury, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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