

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58883 of 2021

Arising Out of PS. Case No.-210 Year-2021 Thana- CHHATAUNI District- East Champaran

1. Monu Kumar @ Monu Das Son Of Suresh Das Resident Of Village - Bada Bariyarpur, P.S.- Chhatauni, Distt.- East Champaran.
2. Sonu Kumar @ Sonu Das Son Of Suresh Das Resident Of Village - Bada Bariyarpur, P.S.- Chhatauni, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2022 The learned counsel for the petitioner submits that petitioner no.2 has been arrested during the pendency of the anticipatory bail application, thus seeks permission to withdraw the present application against him.

Permission is accorded.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner no.1 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the



petitioner has antecedent of two cases and the informant alleges that on 17.05.2021 at about 3.00 P.M., he went to his shop and saw the accused persons including the petitioner were smoking ganja on which the informant objected when he was abused and assaulted and Ajay Das snatched his mobile. Thereafter, the informant called his father when Sonu Das and Monu Das assaulted his father and snatched Rs.2,000/- from his pocket. It is next alleged that Sonu Das gave knife blow behind the chest of the informant's father and Monu Das gave knife blow in the abdomen of the informant. Accordingly, they were brought to the hospital for treatment.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. As far as allegation of assault is concerned, the same does not get corroborated from the injury report as the same records that informant also received injury on his chest, which is simple in nature when the allegation is of stabbing the informant by the petitioner no.1 on his stomach.

Learned A.P.P. opposes the bail application and submits that petitioner has antecedent of two cases and allegation is of stabbing. It is next submitted that the F.I.R. is not the encyclopedia, as such, the informant on account of the



fact that he was nervous may have stated that he was assaulted in the stomach instead of chest. It is also submitted that injury of stab wound is present on the informant which corroborates the allegation as alleged in the F.I.R..

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

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

(Satyavrat Verma, J)

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