

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62962 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- BIRAUL District- Darbhanga

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Jairam Sahani S/o Aghanu Sahani R/o village- Ladho, P.S.- Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sameer Ranjan

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Biraul P.S. Case No. 20 of 2021, registered for the offences under Sections 147, 341, 323, 307, 379, 506, 448 and 427 of the Indian Penal Code.

The main submissions advanced by the learned counsel for the petitioner are that there is case and counter case in between both the parties and from the petitioner's side one person sustained injury of which injury report has been filed as annexure-4 an order was passed under Section 144 Cr.P.C in favour of the petitioner due to which the present case was



lodged after thought and the petitioner has got no criminal antecedent and the allegation of the FIR does not get corroboration from the nature of injuries opined by the doctor concerned in respect of the main injured.

Learned APP has opposed the prayer of bail.

Heard both the sides and perused the FIR and injury reports submitted by the petitioner as annexure-3 series. As per the allegation appearing against the petitioner from the FIR he not only instigated the co-accused person but he actively participated in the alleged occurrence and caused injury to the informant by spear and two injuries on the person of injured Suresh Sahni has been opined as grievous in nature and one injury found at the person of informant has been opined to be caused by sharp cut weapon, the case is under investigation. Considering these facts, in the opinion of this Court it is not a fit case for grant of anticipatory bail to the petitioner.

Accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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