

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66918 of 2021**

Arising Out of PS. Case No.-141 Year-2021 Thana- BHAGWANPUR District- Vaishali

AJAY MAHTO @ AJAY KUMAR S/O HIRDO PRASAD MANDAL R/o
village- Rampur Asurar, P.S.- Bhagwanpur, District- Vaishali (Bihar)
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, A.P.P.
For the Informant	:	Mr. Pramod Rajpati, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 20-07-2022 Heard learned counsel for the petitioner, the informant and
learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four
weeks.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 323, 324, 354(b), 379, 504, 307
and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a
person with clean antecedent.

The informant alleges that on account of dispute relating to
children, the present occurrence took place when the accused persons
including the petitioner came to the house of the informant and it is
alleged that they abused and assaulted. It is alleged that this petitioner
assaulted the Devar of the informant Chandraket Mahto with sharp
edged weapon.

Learned counsel for the petitioner submits that petitioner has



been falsely implicated in the present case. Petitioner and the informant are agnates. He further submits that the dispute was trivial in nature as the occurrence took place on account of dispute between the children. It is next submitted that there is case and counter case and from the side of the petitioner's also injuries have been sustained.

Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioner and the informant draws the attention of the Court to Annexure-3 to the anticipatory bail application to submit that the nature of assault was such that it appears to be brutal as the injured Chandraket Mahto suffered serious injury and opinion with regard to the injury has been reserved. It is next submitted that Chandraket Mahto remained in hospital for fifteen days.

Considering the submissions made by the learned counsel for the informant, the Court is not persuaded to extend the privilege of anticipatory bail to the petitioner in connection with Bhagwanpur P.S. Case No. 141 of 2021 pending in the Court of learned Additional Chief Judicial Magistrata-I, Vaishali at Hazipur/successor Court.

Accordingly, prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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