

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58987 of 2022

Arising Out of PS. Case No.-741 Year-2021 Thana- SIKARPUR District- West Champaran

SHEIKH BHOLA Son of Late Monaf Resident of Village- Nautanwa, P.S.-
Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard the parties.

Petitioner apprehends his arrest in a case registered for offence punishable u/s 342, 323, 324, 307, 379/34 of the IPC and 27 of the Arms Act.

Allegedly, on account of some altercation, the accused persons named in F.I.R. including the petitioner and 5-7 unknown persons abused and assaulted the informant by deadly weapons. Petitioner is said to have given sword blow on the head of the informant with an intention to kill him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to previous enmity. No such occurrence, in the manner as alleged, has ever taken place. The cause of the occurrence is said to be the panchayat



election of 2021, in which, the prosecution party were supporting rival candidate, while the accused party were supporting Bimala Devi. There is case and counter case between the parties and both sides have inflicted injuries. It is evident from the injury report that the doctor has not found injury in the head of the informant caused by sword, and fracture of nasal bone caused by lathi/rod is not attributable to the petitioner. The injuries are grievous in nature. Petitioner has two criminal antecedents.

Learned APP for the State opposed the prayer for bail and submits that there is specific overt act against the petitioner.

Having regard to the facts and circumstances of the case, since the injuries are grievous in nature, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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