

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64951 of 2022

Arising Out of PS. Case No.-318 Year-2022 Thana- HARSIDHI District- East Champaran

Vinay Kumar S/o Kanhaiya Prasad @ Kanhaiya Sah R/o Village- Lokariya,
P.S.- Harsidhi, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No.2, Advocate

For the Opposite Party/s : Mr. Anant Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Harsidhi P.S.
Case No. 318 of 2022 registered for the offences punishable
under Section 147, 149, 341, 323, 324, 379, 307 and 504 of the
Indian Penal Code and Section 27 of Arms Act pending in the
Court of learned Chief Judicial Magistrate, Motihari, East
Champaran at Motihari.

According to prosecution case, the informant
Lalbabu Sah stating therein that on 06.07.2022 on the eve of
marriage of his daughter, an orchestra program was arranged.
In the said orchestra programme, all the F.I.R. named accused
persons started compelling to play filthy songs and when the
same was objected by informant, accused persons became
angry and this petitioner dashed the informant on ground and



accused Sajjan assaulted the informant with fist. When the brother-in-law (Bahnoi) of informant, namely, Jodha Sah came to save the informant, this petitioner with an intention to commit murder gave knife blow in his abdomen, causing injury. Thereafter, all the accused persons assaulted the informant and his family members and relatives. Accused Rahul Kumar snatched Rs.20,000/- from the pocket of informant and accused Sandeep Kumar snatched gold chain from the neck of informant. Accused Sajjan Kumar Sahani opened firing from gun in air.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and he has no criminal antecedent as mentioned in Para-3 of this application. He further submits that from the perusal of the impugned order it is clear that the Jodha Sah had sustained one injury i.e. (i) Penetrating injury near umbilicus, operating finding is gross hemoperitoneum large mesenteric hematoma and laceration 4" x 1" x ½" multiple injuries of small gut, which is serious in nature. He further submits that petitioner and informant side are own gotiya and next door neighbor and there is land dispute between them.

Learned APP for the State vehemently opposing



the bail petition submitted that the

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

This application accordingly, dismissed.

(Anjani Kumar Sharan, J)

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