

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1114 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- SAHAR District- Bhojpur

MD. EHSAN ALI S/o Md. Liyakat Ali, Resident of Abgila, P.S.- Sahar,
District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Advocate Mr. Binod Kumar Sinha, Advocate Mr. Ajay Kumar, Advocate
For the Opposite Party/s	:	Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned counsel for the informant.

The petitioner apprehends his arrest in connection with

Sahar P.S. Case No. 163 of 2021 registered for offence

punishable under sections 341, 323, 307, 504 and 506/34 of the

Indian Penal Code and section 27 of the Arms Act.

As per allegation, when the informant was going to

ease himself, the accused persons named in the FIR, including

the present petitioner, came there and they assaulted him with



knife and iron rod. Co-accused Taiyab Ali inflicted knife blows on his head, right hand and left leg. The petitioner assaulted him in sternum region and made him badly injured.

The learned counsel for the petitioner has submitted that the petitioner is innocent. There is a counter case and the case lodged by the defense side is earlier than the present case. He has submitted further that though the informant has sustained grievous injuries, but it is not on the sternum region of the informant.

On the other hand, the learned counsel for the informant has submitted that the petitioner badly assaulted the informant and the injuries sustained by the informant is grievous in nature. The petitioner has also criminal antecedents of three cases and against him the process under sections 82 and 83 of the Code of Criminal Procedure has been issued.

Considering the above-mentioned facts and circumstances as well as in view of a recent decision in the case of *Prem Shankar Prasad vs. State of Bihar and Another* (2021 SCC online SC 955), the petitioner is not entitled for anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the



petitioner within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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