

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7203 of 2023

Arising Out of PS. Case No.-37 Year-2021 Thana- RAXAUL District- East Champaran

Mantu Mishra @ Mintu Kumar Mishra, Son of Chatu Mishra, Resident of Village- Awsanpur, Ausanpur Tola Jaysinghpur, Ward No.- 11, P.S.- Gopalpur, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Raxaul (Haraiya) P.S. Case No. 37 of 2021 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code. He has no criminal antecedent.

Learned counsel for the petitioner submits that the informant is the brother-in-law (Bahnoi) of the petitioner with whom the sister of the petitioner has got some matrimonial dispute. It is alleged that the petitioner demanded a sum of Rs.2,00,000/- from the informant which he claimed to have spent as expenses in fighting the litigation.

The allegation against the petitioner is that he had



assaulted his brother-in-law (the informant) by a knife causing injuries on his head.

Learned counsel for the State submits that on perusal of the injury report which is available on the record, it would appear that incised wound has been caused over left wrist joint as well as on the scalp over occipital region. There is also swelling over right side of the forehead and all these suggest that the petitioner has used dangerous weapon such as knife and assaulted the informant repeatedly.

Having regard to the facts and circumstances of the case, more than one injury present on the body of the informant and two of them are on the vital part of the body, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer is refused. The application is dismissed.

In case, the petitioner surrenders and prays for regular bail in the learned court below, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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