

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11282 of 2023**

Arising Out of PS. Case No.-149 Year-2022 Thana- AKBARPUR District- Nawada

Shivbalak Prasad S/O Late Munshi Mahto Resident Of Village- Srirampur,
P.S.- Akbarpur In The District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Akbarpur P.S.
Case No. 149 of 2022 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 325, 307, 504, 506 and
379 of the Indian Penal Code, pending in the Court of learned
Chief Judicial Magistrate, Nawada.

Allegation against the petitioner is that he along
with other co-accused persons, armed with Garasa, Tangi
Khanti, Lathi, danda etc, assaulted the informant and her son.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.



He submits that there is admitted land dispute between the parties. The petitioner has got one criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner has assaulted the son of the informant and the injury was found grievous in nature. Hence, he does not deserve privilege of anticipatory bail.

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

(Anjani Kumar Sharan, J)

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