

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17825 of 2023

Arising Out of PS. Case No.-260 Year-2022 Thana- SANDESH District- Bhojpur

JAY PRAKASH PANDEY Son of Late Rameshwar Pandey Resident of
Village - Pandura, P.S.- Sandesh, District - Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP.
Mr. Ajay Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 323, 307, 504, 506 and 379 of the Indian Penal Code.

Allegedly, on 09.11.2022, the accused persons including this petitioner came at the house of the informant in drunken condition and started abusing his niece, and when the informant's father Ramni Singh and uncle Devnandan Singh asked them to stop, they started assaulting them and thereafter fled away.

It is further alleged that when the informant along with his father and uncle were going to Sandesh Police Station, all the accused persons surrounded them and started to beat them.



Petitioner is said to have assaulted the informant by butt of a pistol on his head due to which he sustained head injury. Petitioner Jay Prakash Pandey along with one Upendra Pandey assaulted the informant's uncle due to which he sustained injuries on his left hand's wrist, chest and back.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. It is further submitted that no injury was found on vital part of the informant's body. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the injury caused by this petitioner to the informant on his head was found grievous in nature, hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of case as well as nature of the injury sustained by the informant, I am not inclined



to enlarge the petitioner on bail. The prayer for bail of the
petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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