

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18633 of 2023

Arising Out of PS. Case No.-692 Year-2022 Thana- SAHAYAK NAGAR District- Katihar

Manoj Kumar Sharma @ Manoj Kr Sharma S/O Yogendra Sharma R/O
Mohalla- Jay Prakash Nagar, Ward No.-1, P.S- Sahayak, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Ambastha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 354B, 307, 379, 448, 427, 504, 506/34 of the Indian Penal Code.

Petitioner along with other accused persons are said to have entered into the house and assaulted the informant and her son by means of lathi-danda and iron rod.

Learned counsel for the petitioners submits that the petitioners is innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is no allegation against the petitioner that he assaulted the son of the informant on his right shoulder. He further submits that petitioner has no criminal antecedent as stated in para-3 of



this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific allegation of assault against the petitioner.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Katihar Town (Sahayak) P.S. Case No. 692 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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