

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27604 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- JALALPUR District- Saran

Santosh Kumar Sharma @ Santosh Sharma Son Of Ram Darshan Sharma
R/O Village- Rampur Noor Nagar, Kanhi, P.S.- Jalalpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that petitioner and Mahendra Sah assaulted Yakub
Miyan with an iron rod causing fracture of his right hand and
injury on his head, it is further alleged that other accused also
pelted stones and assaulted the informant with *lathi* causing
injury on his shoulder and thigh.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case on



account of dispute relating to land with the informant, it is further submitted that though it is alleged that petitioner and Mahendra assaulted Yakub Miyan leading to grievous injury of fracturing his hand but then it is not clear that who assaulted him on hand.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against this petitioner and Mahendra that they assaulted Yakub Miyan causing injury on hand and head and the injury on hand was found to be grievous, it is next submitted that either Mahendra or petitioner assaulted and if petitioner is granted the privilege of anticipatory bail then the presumption would be that it was Mahendra who assaulted as such, for the present, the benefit of anticipatory bail be not given to the petitioner.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

