

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24158 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- GAIGHAT District- Muzaffarpur

RAUSHAN KUMAR SON OF NITESHWAR SINGH Resident of village -
Laxman Nagar, P.S. - Kurhani, Gayaghat, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Gaighat P.S.
Case No. 123 of 2022 registered for the offences punishable
under Sections 341, 323, 307, 354B, 379, 325, 504 & 506/34 of
the Indian Penal Code pending in the Court of learned Judicial
Magistrate 1st Class, Muzaffarpur.

The allegation against the petitioner is that he
assaulted the informant by means of iron rod due to which she
sustained injury on her occipital region.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case due to family feud. Petitioner and
informant are agnates. Petitioner is brother-in-law (Dewar) of



the informant. There is case and counter case between the parties. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the injury sustained by the informant is grievous in nature, hence the petitioner does not deserve anticipatory bail.

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

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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