

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28633 of 2023

Arising Out of PS. Case No.-238 Year-2021 Thana- POTHYA District- Kishanganj

Baharuddin@ Badrudin, Son Of Abdul Sakur, Resident Of Village-
Khoksabari, P.S.- Pothia District -Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Pothia P.S. Case No.238 of 2021 registered for the offences punishable under Sections 341, 379, 323, 324, 307, 504 and 506/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had assaulted the informant by a sword on his chest with an intention to kill him due to which he fell down on the earth and blood started oozing out.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to land dispute between the parties. Learned counsel



submits that the petitioner has been made accused in this case only on the basis of suspicion.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the fact that the petitioner has allegedly assaulted the informant by a sword on his chest which caused injuries dangerous to his life upon the chest of the informant up to the abdomen, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner. The prayer is refused.

7. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

8. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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