

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30556 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- KESARIA District- East Champaran

GUDDU KUMAR Son of Bhagya Narayan Sahani Resident of Village -
Bijdhari, P.S.- Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-07-2023 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 143, 144,
341, 323, 307, 379, 504 and 506 of the Indian Penal Code.
3. The informant alleges that Shashi Bhushan
assaulted him with butt of pistol causing injury on head,
thereafter, petitioner attacked him with knife causing injury on
his back, ribs, arm and eyebrow and Aman assaulted by an iron
rod on head and Shatrudhan snatched chain and Rs. 3,000/-.
4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and has been falsely
implicated in the present case, it is next submitted that his father
has appeared as a witness in a case against the side of the



informant, as such, the petitioner came to be implicated in the present case so that he does not appear as a witness in the case in which his father was a petitioner, it is also submitted that petitioner was not present at the place of occurrence, it is further submitted that even presuming what has been alleged is true without admitting then the nature of the injury caused to the informant is simple in nature.

5. Learned A.P.P. for the State Mr. Chandra Bhushan Prasad opposes the prayer for anticipatory bail of the petitioner and submits that the injury suffered by the informant is simple in nature but then the petitioner is alleged to have assaulted by knife on his back, ribs, arms and eyebrow and eyebrow definitely is a vital part of the body, it is also submitted that the fact that it is alleged that petitioner assaulted him four time that in itself demonstrates the mindset of the petitioner, it is also submitted that plea of alibi is only in a nature of weak defence.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

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