

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29885 of 2023

Arising Out of PS. Case No.-315 Year-2021 Thana- RAJNAGAR District- Madhubani

Ghuran Sahu @ Ghuran Kumar Sahu, Son of Late Muneshwar Sah, Resident
of village - Kewalpatti, P.S. - Rajnagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Udeshya Kumar Yadav, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Rajnagar P.S. Case No. 315 of 2021 registered for the alleged offences under Sections 341, 504, 323, 324, 308 and 379/34 of the Indian Penal Code.

3. As per prosecution case, in the backdrop of some altercation taking place with co-accused persons, petitioner and other co-accused persons assaulted the informant with bamboo causing fracture of his head. They assaulted with intention of killing the informant. Further, allegation is that they snatched Rs. 10,000/-, a gold locket and a wrist watch from the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner has no concern with the alleged occurrence for which FIR has been lodged after six days. There was no motive for assault against the informant. There is no specific allegation against the petitioner and the allegation of assault is not corroborated from the injury report. The petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioner. Learned APP submits that in the rejection order it has been mentioned that the victim has received five injuries on his head apart from injuries on other parts of the body. Though the FIR was registered on 06.11.2021 but the fardbeyan was recorded on 03.11.2021, i.e., on the date of alleged occurrence. The delay might be due to the informant being admitted in serious condition in a hospital and thereafter being referred to a private hospital.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the serious nature of allegation against the petitioner, I do not think it is a fit case for grant of anticipatory bail.

7. Hence, his prayer for anticipatory bail is rejected.



8. However, the petitioner will surrender before the learned court below within a period of four weeks and seeks regular bail, the same shall be considered on its own merit without being prejudiced by the order of this Court.

(Arun Kumar Jha, J)

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