

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30545 of 2023

Arising Out of PS. Case No.-393 Year-2020 Thana- BARH District- Patna

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MUDHIR ROY @ SHTRUDHAN KUMAR S/o- BALESHWAR ROY
Village- Jalgovind Ps- Barh Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

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

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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 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

3. The informant alleges that her son was taken by Lallu and petitioner on a motorcycle, further when he did not return a search was made when he came to know that her son is lying in an injured condition near a Railway Station, accordingly, he reached the place of occurrence where her son disclosed that he was assaulted by knife, brick and screwdriver causing injury on eye, ear, stomach, face and chest, accordingly, injured was taken to Barh



hospital from where he was referred to P.M.C.H.

4. Learned counsel for the petitioner submits that the petitioner has antecedent of one case as pleaded in supplementary affidavit, it is next submitted that petitioner has been falsely implicated in the present case, it is further submitted that though it is alleged that the petitioner was brutally assaulted by the accused persons but then the impugned order does not record about the injury which amply demonstrates that no injury was suffered by the injured.

5. Learned A.P.P. Mr. Chandra Bhushan Prasad for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation as alleged in the FIR it would manifest that specific allegation of assault is alleged to have been caused by the accused persons including the petitioner by knife, brick and screwdriver causing injury on various vital parts of the body of the injured who himself disclosed to his mother and he has also been referred to P.M.C.H. which amply demonstrates that the nature of injury must be serious or else he would not have been referred from Barh hospital to



P.M.C.H.

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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