

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42148 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- KORHA District- Katihar

Raushan Kumar Son Of Rajendra Sah Resident Of Village - Morsanda, P.S. -
Falka, Distt. - Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-08-2023 The present petition has been filed to renew the

prayer for grant of anticipatory bail to the petitioner

which was earlier rejected vide order dated 13.12.2022

passed in Cr. Misc. No. 46005 of 2022.

The prosecution case as per F.I.R is that all the

accused persons including the petitioner variously armed

came to the house of the informant and started

assaulting and when other family members of the

informant came to his rescue, they were also assaulted

by the accused persons. It is further alleged that co-

accused Rajendra Sada dragged the wife of the

informant on the ground and co-accused Radha Devi and



Shlini Devi took out the ornaments from the possession of the wife of the informant.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Both the parties are agnates and in the background of some land dispute, the present F.I.R has been registered. There is case and counter case between the parties. The injuries sustained by the injured persons are simple in nature.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation against the petitioner that he assaulted with sword on the head of the informant. The prosecution witnesses have supported the case of the prosecution.

Considering the fact that there is specific accusation against the petitioner that he assaulted with



sword on the vital part of the informant, earlier the prayer for anticipatory bail of the petitioner was rejected on merits and no new ground has been raised by the learned counsel for the petitioners to take a different view in the matter, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The petitioner is directed to surrender before learned Court below and pray for regular bail which shall be considered by the learned Court below without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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