

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38762 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- PHULWARIA District- Begusarai

Ricky Kumar S/O Manoj Sah R/O Ward No. 9, Near Uco Bank, Vill-Baro,
P.S.-Phulwaria, District-Begusarai, Bihar-851118 Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Pd.Singh, Senior Advocate Mr.Amrit Kumar and Kr.Shanu, Advocates
For the State for the informant	:	Mr.Pawan Kr Chaurasia, Addl Public Prosecutor Mr. A.Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-09-2023 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 307,379,504,506 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, petitioner abused and assaulted the informant by means of iron-rod on his head, causing head injury to him, due to non-fulfillment of the demand of extortion money to the tune of Rs. 5,00,000/-. In the meanwhile, co-accused Shubham Kumar assaulted the informant by means of iron-rod on the back side of his head, causing head injury. Other co-accused persons, namely, Pradhum Yadav and Manoh Sah, are also alleged to have assaulted the informant by means of iron-rod on different parts



of his body.

4. Learned counsel appearing for the petitioner submits that the parties are co-sharers and have long existing land dispute between them. He next submits that no occurrence in the manner as alleged ever took place and the entire allegation is false and fabricated against the petitioner. He further submits that the petitioner has got no criminal antecedent and co-accused Shubham Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order passed in Criminal Misc. No. 33401 of 2023.

5. Learned counsel for the State and the informant oppose the prayer for bail. They submit that the petitioner is named in the FIR with specific allegation that he assaulted the informant on the frontal side of the head of the informant causing him grievous injury. They submit that case of co-accused Shubham Kumar cannot be equated with the case of the petitioner, as co-accused Shubham Kumar caused injury on the back side of the head which has been found to be simple in nature, whereas petitioner caused injury on the frontal side of head of the informant which has been found to be grievous in nature.

6. Considering the nature of injury caused by this



petitioner, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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