

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34593 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- TAJPUR District- Samastipur

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UMESH SINGH @ UMESH KUMAR SINGH Son of Rambharos Singh
Resident of Village - Kaijiya Bishunpur, P.S.- Tajpur (O.P. waini), Distt.-
Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 09-01-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner as well as

Mr. Shailendra Kumar, the learned APP for the State.

The petitioner apprehends his arrest in connection

with Tajpur (Waini O.P.) P.S. Case No. 157 of 2021, registered

for the offences punishable under Sections 147, 148, 149, 341,

323, 307, 302 and 504 of the Indian Penal Code.

As per allegation, when the informant along with his

father was constructing his house, the accused persons came

there. Co-accused Pramod Kumar assaulted the father of the

informant with axe on his head. The petitioner assaulted him

with iron rod on the head of the father of the informant. They

also assaulted the uncle and aunt of the informant when they

came to rescue. The informant and his father died at the spot.



Learned counsel for the petitioner has submitted that co-accused Pramod Kumar and the petitioner assaulted the deceased but the deceased, as per post-mortem report, has sustained only one injury on his head.

Mr. Shailendra Kumar, the learned APP has opposed the prayer for bail and submitted that there is specific allegation against the petitioner of inflicting assault by iron rod on the head of the informant's father. As per post-mortem report, his father has sustained head injuries.

In my view, it is not a fit case for anticipatory bail, which is hereby rejected.

If the petitioner surrenders before the court below and makes a prayer for regular bail, that shall be disposed of expeditiously without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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