

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38481 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- BIHAR District- Nalanda

CHANDAN KUMAR @ CHANDAN KUMAR SINGH @ CHANDAN
SINGH S/o- SATYENDRA SINGH Village- Ratna PS- Chhabilapur Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bihar P.S. Case no.168 of 2022 registered under sections 341, 323, 313, 354, 379, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, as a result of assault by this petitioner, the informant who was in family way lost her child.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is an unexplained delay of eight days in lodging of the FIR. Further the instant case is a counter blast of the FIR being Bihar P.S. Case no. 301 of 2021 which was lodged by the father of the



petitioner wherein the informant's husband is an accused and the petitioner is a witness. The medical report does not support the prosecution case.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR together with the injury report which has been referred to in the order of the learned Sessions Judge and wherein it is disclosed that a dead foetus was taken out from the womb of the informant, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

8. In case the petitioner surrenders within the aforesaid period and prays for regular bail, the same shall be considered by the learned trial Court without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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