

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48822 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- AZIMABAD District- Bhojpur

BHIM SINGH S/O RAMMURTI SINGH R/O VILLAGE- FULARI, P.O.
FULARI, PS. SANDESH, DIST. BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kant, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-08-2023

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 Ajimabad P.S. Case no. 10 of 2023 registered under sections 307, 147, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the six named accused persons including the petitioner herein are said to have come variously armed and on the orders of Sanjay Singh, the petitioner is said to have assaulted the nephew of the informant on the head with an iron rod causing serious injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The



manner of occurrence is other than what has been narrated in the F.I.R. The correct version has been given in the counter case, F.I.R. of which is Annexure-2 to the petition. The instant case was lodged to set up a defense by the informant herein. The injury report does not support the prosecution case and the petitioner has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner of having assaulted with an iron rod on the head of the nephew of the informant and the said allegation being supported from the injury report wherein fracture of the right temporal bone has been found and the same has been opined to be grievous in nature, 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 Court below within a period of four weeks.

(Partha Sarthy, J)

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