

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47853 of 2023

Arising Out of PS. Case No.-357 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Vijay Kumar Singh @ Chintu Singh S/O Ram Pravesh Singh R/O Village
Ameth, P.S.- Mohania, Distt.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin
	:	Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned

APP for the State assisted by learned counsel for the opposite

party no.2.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307 and 354/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner along with other co-accused persons is said to have assaulted the father of the informant by means of iron rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the injury found upon the victim is grievous in nature but not in vital part of the body. He submits



that petitioner is a student of B.A. final year and aged about 21 years. He further submits that there is admitted land dispute between the parties. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State along with learned counsel for the opposite party no.2 vehemently opposing the bail application and submits that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Mohania P.S. Case No. 357 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering the fact that petitioner is a student of B.A. final year and aged about 21 years.

(Anjani Kumar Sharan, J)

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