

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47724 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- AAYAR District- Bhojpur

NISHANT KUMAR @ NISHANT SON OF SRI NIRANJAN KUMAR
SINGH RESIDENT OF VILLAGE- AAYAR, PS- AAYAR, DIST- BHOJPUR
AT ARA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amit Kumar Anand, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Aayar P.S. Case No.44 of 2022 registered for the offences punishable under Sections 341, 323, 354, 325, 307 and 34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that petitioner had attacked the informant with a sharp edge weapon on his neck which he tried to save but suffered attack on his little finger.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case merely on suspicion. Learned counsel submits that there is no specific allegation of assault against the petitioner and no incriminating article has been recovered from his possession.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein there is a specific allegation that this petitioner had attacked the informant with a sharp edge weapon on his neck which he tried to save but suffered attack on his little finger which was amputated and the said allegation is finding support from the injury report which is showing said injury grievous in nature, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer is refused.

In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

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