

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49066 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- RASULPUR District- Saran

Subhash Singh S/O Late Vijay Singh @ Ghinawan Singh R/O Village-
Nawada, P.S- Rasulpur, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Rasulpur P.S. Case No. 84 of 2023 registered for the offences punishable under Sections 147, 148, 447, 323, 324, 504, 325, 326, 506 of the Indian Penal Code later on 302 of the Indian Penal Code was also added, pending in the Court of learned Judicial Magistrate, Chapra, District-Saran.

3. As per the prosecution case, the petitioner is said to have assaulted father of the informant (deceased) on his knee of right leg by means of axe.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



the Doctor held that postmortem on the dead body of the deceased and found injury on head and chest and has opined cause of death due to above injuries. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application later on by way of supplementary affidavit it is stated that the petitioner has four criminal antecedents.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is also involved in the present case.

6. Considering the facts and circumstances of case and the fact that there is specific overt act against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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